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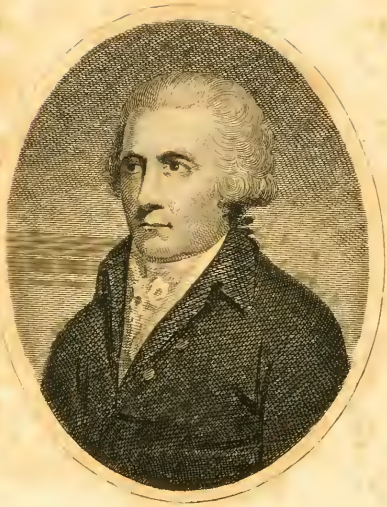

John Horne Tooke.

MEMOIRS

OF

JOHN HORNE TOOKE,

TOGETHER WITH HIS VALUABLE

SPEECHES AND WRITINGS:

ALSO, CONTAINING

PROOFS IDENTIFYING HIM

AS THE

AUTHOR OF THE CELEBRATED

LETTERS OF JUNIUS.

By JOHN A. GRAHAM, L. L. D.

Justitiæ generisque humani advocatus.

NEW-YORK:

Printed by A. Gould & L. Jacobus, Essex-street,

FOR STEPHEN GOULD, 39, NASSAU-STREET,

And sold by all the Principal Booksellers.

1828.

TO THE

HONORABLE

AMBROSE SPENCER,

LATE

CHIEF JUSTICE

OF THE

STATE OF NEW-YORK.

My dear Sir,

To you, whose friendship has been the *pride* of my life—whom neither absence, distance, nor the revolution of *fifty years*, has estranged from me—to you, whom prosperity never exalted, and who never withheld the consideration which

true friendship pays to friendship, in every situation of life—to you,

I DEDICATE THIS ESSAY.

Do me the honor of giving it a place in some *corner* of your library, that when I shall have "*shuffled off* this mortal coil," this volume may sometimes *catch* your eye, and bring to your recollection, the friend, who deeply felt, and often expressed, so much respect and esteem, for your *many* virtues—and, admiration for your *profound* talents.

JOHN ANDREW GRAHAM.

New-York,
May 1st, 1828.

PREFACE.

The following pages are devoted to a subject which has long baffled talents and research, and to which, at this late hour, scarcely any thing short of demonstration, can be supposed to impart a lively interest. While the compositions of JUNIUS *have furnished a model of style, as bold and brilliant as it is classical, the Author has eluded discovery, and to this moment, as if disdaining applause, the motto emblazoned on the escutcheon of his fame, applies,* "Stat nominis umbra." *This, it must be admitted, is an appalling circumstance, not only checking ambition, but assailing the inquirer at the entrance; like some ancient sepulchral inscription, at once rebuking the curiosity of the profane intruder, and sternly prohibiting his further advance.*

Knowing, however, that the avenues to the temple of truth are ever open, and that its votaries are not to be deterred from fair and manly discussion, the Author of the following Essay *has ventured upon a disclosure of facts and circumstances, which will not suffer himself, at least, to doubt as to the identity of* Junius. *He had the honor of the acquaintance of* John Horne Tooke; *and from the opportunities which this afforded, aided by other circumstances, he has been enabled to furnish facts hitherto unknown; and to present others in a light so new, as to induce a probability that* Tooke *and* Junius *are the same. Whether he has happily succeeded in forcing the belief which he seeks to establish, and thus securing to the memory of his departed friend, the immortality which shrouds the name of* Junius, *public opinion will decide. To this tribunal he has appealed, and his submission to it will be as voluntary as it must be imperative. He will not conceal, however, the pleasure it would give him to be the humble instrument of restor-*

ing to the rightful owner, honors of so transcendent a character. JOHN HORNE TOOKE, *now that the clouds of political contention have passed away, stands* clarum et venerabile nomen. *His genius was transcendent—his talents of the first order—his struggles for liberty sincere—his privations and sufferings great—and his patriotism undoubted.*

It must not be understood that the Author claims the originality of the suggestion that Tooke *is* Junius; *of the constellation of eminent literary characters of that age, numbers have been selected to that honor, by literary curiosity or impertinence, and among others* John Horne Tooke. *He hopes, however, without subjecting himself to the imputation of vanity, he may be allowed the merit of having contributed to change mere suspicion into enduring and unalterable belief. He seeks, by his humble labors, not to weave the wreath, but merely to bind it on, having first ascertained the brows destined to wear it. If he fails of*

this, he will at least have the satisfaction of knowing his motives were pure, and of having, while employed in this way, scattered many agreeable associations along the path of a life rapidly descending into the vale.

The Author begs leave to add, that he has consulted, and freely drawn from every publication respecting Junius, *to which he has had access, and takes this opportunity, in conclusion, of acknowledging the kindness of many of his literary friends, particularly* Mr. S. F. Wilson, *and of assuring them that his gratitude, though not so widely circulated, will be as lasting as the name of* Junius.

CHAPTER I.

THE publication of the *Letters of Junius* forms a singular epoch in the literary history of the last century. They are the first and most perfect specimens of that kind of political writing, which has since so much abounded in the public prints, both of this country and of England; and like most originals, they have outlived all their imitators and copyists. Addressed directly to men high in office, and enjoying the confidence of the sovereign, they spoke in terms of such haughty superiority—were so acrimonious in their language—so vehement in accusation—and so fierce in invective, that they excited a most extraordinary degree of curiosity and wonder. All the engines of authority were put in motion, aided by the violence of party spirit, enflamed by personal resentment, to discover the audacious writer, who addressed in terms of such unmeasured indignation, the highest and most powerful men in the kingdom—and who spared not

in his sweeping reproaches, even the character and conduct of the king. The excitements to which this state of things led, have passed away with the personages and events by which they were raised; these letters are, however, saved from the common lot of oblivion, and are still read with admiration and curiosity. This is owing partly to the mystery in which the writer shrouded himself, and which he succeeded in preserving, amid all the efforts which were then made and which have been continued for half a century, to discover and identify him; but mostly to the intrinsic merits of their style, and their wonderful power of argument and expression. As models of composition, they have been already ranked with the Classics of England. No other work can be produced in which the same purity of diction is so uniformly sustained in the midst of such vehemence of passion. The strongest ideas of reproach which the mind conceives are expressed in the strongest terms which words can supply; and the author, "even in the tempest and whirlwind of his passion," employs the most forcible and polished phrases and illustrations—as though the loftiness of his indignation could condescend to nothing below the noblest powers of language. So generally has this been acknowledged,

that many of the condensed expressions of thought, and beautiful illustrations with which they abound, have been quoted so frequently as to become the common property of literature, " familiar in our mouths as household words."

To a work of such high character and acknowledged excellence, it is not extraordinary that many claims of authorship should have been advanced. During the fifty years which have now elapsed, since the termination of the letters, and their publication in the form of a volume, many circumstances of apparent coincidence have been brought to light, each of which in its turn, has been eagerly seized upon by the friends of some eminent person, as affording evidence of his claim to the title of *Junius*, and made the foundation of new and different theory. One of the most singular of these hypothesis, was the attempt to claim the authorship for the Duke of Portland, for no other reason than that *Junius* wrote against the claim of Sir James Lowther, to the Duke's property of Inglewood Forest, in Cumberland.

Many others were advanced with as little claim to probability, and in this manner, men of the most op-

posite professions and situations in life, and of entirely different and discordant political principles, have been at divers times set forth to the world by some injudicious admirer, as the true *Junius*. But to each and all of these, some insuperable objection has been, upon closer inquiry, invariably found; and to this day the authorship of *Junius* remains a problem in literature, defying the solution of the most ingenious. We may approach the result, but it seems now settled that a complete and perfect body of proof cannot now be attained.

It was at first naturally imagined, that no man possessing the common passions of our nature, could persist in concealing himself, to avoid the admiration of his fellow-men. It was considered not only a phenomenon in literature, but an anomaly in human action, that one could not only refrain from avowing himself, to receive in his life-time the laurels with which the world stood ready to crown him, but should die and leave no trace by which his work could be identified for him. But as one by one, all those for whom it had been claimed with any show of probability, died without making the disclosure, and no discoveries among their writings, or from their port-

folios, authorised a posthumous claim for them, all expectation of a direct avowal has ceased.

It is then only from circumstantial proof, from a comparison of the style, manner, expressions and political principles of the *Letters of Junius*, with the known character, and avowed writings of some distinguished personage, that we can approximate to the truth. If these are found to coincide in every respect, a case of strong probability will be made out, and if in addition, they are aided by unguarded expressions in confidential conversation on the very subject, almost avowing the work, the proof will be further strengthened, and the probability will approach to demonstration.

It will be the object of this essay to show in whose favor these circumstances exist most decidedly, and to explain the reasonings and inferences which have induced the belief that the writer of these celebrated letters was no other than JOHN HORNE TOOKE.

Should the questions be asked why this discussion is commenced at so late a period, and why it is undertaken by an individual so far from the theatre of

action, and seemingly unconnected with the events, the answers will be explicit. To the first interrogation, the reply is brief and simple. The literary world has a powerful interest in the just distribution of the honors of literature. The claims of the rightful owner can never grow obsolete, because truth and justice are eternal. That the successful author shuns the rewards which are prepared for him, is not conclusive against inquiry. False claims will abound where the ownership of the estate is doubtful, and it is for the general interest of literature that the title should be quieted. When the facts, which are relied on, are fairly before the public, we have no fears but that their verdict will be just.

In order to explain the circumstances upon which I conceived the idea that JOHN HORNE TOOKE was the author of the *Letters of Junius*, even before I examined the evidence afforded by the work itself, it will be necessary to recount briefly the origin and occasion of my acquaintance and connexion with him. In the year 1794, I was sent on a mission to England, by the Episcopal Convention of the State of Vermont, upon ecclesiastical affairs, connected with the Courts of Canterbury and York, and "the venerable society

for propagating the gospel in foreign parts." The nature of my duties, as the accredited agent of so highly respectable a body, brought me at once into contact with most of the great and learned men of England, and gave me the means of the society of all, had I so pleased. It is but natural to suppose, that such opportunities of intercourse as I enjoyed, were eagerly improved by one whose habits and pursuits were in search of knowledge, and whose ambition it has always been to mingle with the good and great. It may not be considered superfluous to add, that I had the honor of being recognized as a kinsman, and hospitably entertained by one of the most noble and distinguished personages in Great Britain.

Among the eminent men, whose society I had the gratification of enjoying, none stood higher in my estimation, or in that of the public, than Mr. TOOKE, and his intercourse I industriously cultivated. In the year 1796, two years after my first visiting London, I became a resident in the City of Westminster. It is in the memory of all conversant with the history of British politics, that in the summer of that year, a powerful effort was made at the general election to secure a preponderance of the Whig party in the

ensuing parliament. Mr. TOOKE was a candidate for the representation of Westminster, and I, if not an efficient, was an active and zealous supporter of his interest. As an American I could not feel lukewarm in the cause of one of the earliest champions of America—one who had fearlessly stood forth the advocate of my countrymen in the commencement of their eventful struggle, and had suffered fine and imprisonment in their behalf. As a lover of justice, I could not behold, without indignation, the unrelenting persecution with which he had been followed from his earliest days, by the most powerful men in the kingdom; the obstinate and rancorous hatred which had arbitrarily excluded him from the pursuit of an honorable profession, and one for which he was peculiarly fitted, had harassed him with actions and prosecutions, and sought to take his life, upon the pretext of high treason, under the abused sanction of the law. His political principles, those of pure Whiggism, were those in which I had been trained, and of which I considered him one of the most efficient advocates. With these feelings I entered warmly into his cause, and though his attempt proved unsuccessful, was for my disinterested and unsolicited exertions, received into his confidence; which confidence, I am proud to

say, continued unimpaired until my departure from London, on my return home in the summer of 1800. It was from the intimacy which ensued, that I gathered the several expressions which I am about to relate; which expressions first gave rise to the belief which has since risen to conviction, that he was *Junius*. In the summer of the year 1797, I held a conversation with him upon the subject of his controversy with *Junius*, in which, after mentioning my admiration of the style of *Junius*, I added with a smile, that I of course excepted his harsh epithets and coarse invective against *Parson Horne;* upon which Mr. TOOKE replied, smiling, "*Junius* is the best friend I ever had on earth."

On another occasion, in my presence, a mutual and reverend friend, in a similar conversation, put the question directly to Mr. TOOKE.—"Do you then know the author of *Junius?*"—"Yes," replied he, "I do know him better than any man in England."—"Pray, Sir, is he now living?"—"Yes, my dear Sir, he is yet alive."—"He must then be an old man—do you know his age?"—Mr. TOOKE instantly replied, "*Strange as it may seem, I can assure you that* Parson Horne *and* Junius *were born on the same day in the City of Westminster.*"

The singular nature of these avowals, connected with so celebrated a controversy, immediately gave me the impression, that he was either himself, as his expressions imply, the writer of *Junius*, or was so intimately connected with the writer, as to have the means of making the discovery. In this I find myself corroborated by the following circumstance related in the life of TOOKE, by Alexander Stephens, and published in 1813, (page 358, vol. ii.)

On the 21st June, 1807, at Mr. TOOKE'S house at Wimbledon, some conversation occurred that day at dinner relative to *Junius*. He laughed at the idea of Mr. Boyd's being the author, as affirmed by Almon. On being told that Henry Sampson Woodfall had intimated that he was in possession of several letters from him, in a fine Italian hand, and seemingly written by means of a crow-quill, he observed, "that Mr. Woodfall was a very honest man, but he doubted the fact! *They had been all surrendered.*"

"One of the company now asked if he knew the author? On the question being put, he immediately crossed his knife and fork on his plate, and assuming a stern look, replied 'I do.' His manner, tone, and

attitude, were all too formidable to admit of any further interrogatories."

From the circumstances which I have narrated, as coming under my personal observation, and the peculiar manner in which it was Mr. TOOKE'S pleasure to speak on the subject, it became my conviction, that he was himself the author. From the insolated facts, it is clear that he knew the writer. If, in the course of the after inquiry, any fact had appeared, which rendered it physically impossible, that he could have been the author: if the political principles therein avowed had been found differing essentially from his, or the style and manner of the letters had been found radically different from Mr. TOOKE'S style and manner, the naked truth would have still remained for aid in another inquiry, that TOOKE knew the author. But when no such discrepances are found to exist, and in all material points, remarkable coincidences are found; it is, when connected with the declaration of *Junius*, "that he was the sole depository of his own secret," *evidence* that they were the same. That "*Parson Horne*" and the unknown antagonist with whom he wared, were but varieties of the same great man.

CHAPTER II.

A VERY ingenious and elaborate work on the present subject, was published a few years since in England, entitled, " The identity of *Junius* with a distinguished living character established—including a supplement, consisting of fac-similes of handwriting, and other illustrations." It is understood to be the production of Mr. John Taylor, a very industrious and candid writer. In this work the claims of Sir Philip Francis are urged with so much apparent force and proof, that it is necessary, (by more closely discussing and disposing of them,) to clear the way for other examination. The air of complete decision and confidence with which Mr. Taylor presses his arguments, adds considerably to their weight and effect. To those who have not examined the subject in all its bearings, the sincere conviction of an honest and able man who has studied it thoroughly, has deservedly some of the force of evidence in favor of its truth. Upon grounds similar to

this, the opinion seems to spread that Mr. Taylor's arguments and proofs are irrefragable, and that Sir Philip is undeniably identified with *Junius*. But, however singular some of the circumstances and coincidences may be, (and I am free to confess that some of them are so remarkable, as rarely to be found in the chapter of accidents,) there are several objections to his claims which appear to me unanswerable.

A most formidable objection is contained in the fact, that Sir Philip has expressly disclaimed the authorship attributed to him. Soon after the appearance of Mr. Taylor's pamphlet, the editor of the Monthly Magazine (Sir Richard Phillips I believe,) intended to pursue the inquiry in the form of a review. In order, however, to know Sir Phillips' pleasure on the subject, and to receive some admission from him, (if he really were the author) he addressed him a note, in which he directly made the inquiry. To this he received the following epistle in reply from Sir Philip Francis:—

"Sir—The great civility of your letter induces me "to answer it, which, with reference merely to the sub- "ject matter, I should have declined. Whether you "will assist in giving currency to a silly, malignant

"falsehood, is a question for your own discretion. To "me it is a matter of perfect indifferenee.

"I am, Sir,

"Yours, &c.

"P. FRANCIS."

This seems to me to put the matter at rest, for I cannot understand Mr. Taylor's special pleading upon the terms on which it is drawn up. To my understanding it is no less than a direct affirmation that the charge of being the author was "a silly malignant falsehood." This is the unequivocal meaning of the words; and in another place I shall show, that, situated as Sir Philip was in life, at that time, it is truly a malignity, (notwithstanding Mr. Taylor's disclaimers) to put into his mouth the sentiments and language of *Junius;* because it would fasten upon him an indelible stain of character, involving moral delinquences, breaches of honor, gratitude and feeling, of which no man would suspect Sir Philip.

Dr. Parr, upon this subject, and with reference to this work of Mr. Taylor's, thus speaks—"The impression produced by a well written pamphlet, and an elaborate critique upon it, in the Edinburgh Review, still direct the national faith towards Sir Philip Francis.

He was too proud to tell a lie, and he disclaimed the work. He was too vain to refuse celebrity, which he was conscious of deserving. He was too intrepid to shrink when danger had nearly passed by. He was too irascible to keep the secret, by the publication of which, he, at this time of day, could injure no party with whom he is connected, nor any individual for whom he cared. Besides, my dear Sir, we have many books of his writings upon many subjects, and all of them stamped with the same character of mind. Their general *lexis* (as we say in Greek) has no resemblance to the *lexis* of *Junius*, and the resemblance in particulars can have far less weight than the resemblance of which we have no vestage. Francis uniformly writes English, there are gallicisms in *Junius*. Francis is furious, but not malevolent; Francis is never cool, and *Junius* is seldom ardent." Again, "We must all grant that a strong case has been made out for Francis, but I could set up very stout objections to those claims. It was not in his nature to keep a secret. He would have told it from vanity, or from his courage, or from his patriotism. His bitterness, his vivacity, his acuteness, are stamped in characters very peculiar upon many publications that bear his name, and very faint indeed is their resemblance to the spirit, and in an extended sense of the word, to the style of *Junius*."

This opinion of so excellent a judge of composition as Dr. Parr, deserves great attention; and his conclusions from the substance of the second objection to Sir Philips' claims, *viz.* the inequality of his avowed writings with the writings of *Junius*. On this part of the argument we shall quote at large from the reminiscences of Charles Butler, Esq., whose opinions, as those of an eminent literary and legal character, and a cotemporary of *Junius*, are entitled to unreserved attention." The external evidence produced in these pamphlets is strong, so strong perhaps that if he had been tried upon it for a lible, and the case had rested upon the facts from which this evidence is formed, the judge would have directed the jury to find him guilty. But the internal evidence against him, from the inequality of his acknowledged writings, is also very strong: If the able author of the article, "*Junius*," in the Edinburgh Review (for November, 1817) had not professed a different opinion, the present writer would have pronounced it decisive. That respectable writer produces several passages from the works of which Sir Philip was certainly the author, and finds in them a similar tone and equal merit; with due deference to his authority, the reminiscent begs leave to think, that if these passages serve to show that Sir Philip was no

mean writer, they also prove, that he was not *Junius*. To bring the question to a direct issue—are the glow and loftiness discernible in every page of *Junius*, once visible in any of these extracts? Where do we find in the writings of Sir Philip, "those thoughts that breathe, those words that burn," that *Junius* scatters in every page? A single drop of the *cobra copella* which falls from *Junius* so often?

Junius had evidently been a great constitutional reader; Does Sir Philip appear to have been such, from any of his writings, even the latest?

But, to bring the matter at once to issue, we shall transcribe from the article on *Junius*, in the Edinburgh Review, a passage from a publication in which Sir Philip attacks Lord Thurlow, then insert a passage in which *Junius* attacks Lord Mansfield. We request our readers will compare them, and afterward compare the extract from *Junius*, with the passage of Hyder Ally's invasion of the Carnatic, transcribed from one of Mr. Burke's speeches in a future part of this publication. Will he not find the inferiority of Sir Philip so great as to render it impossible that he should have been the author of *Junius' Letters*? On the other hand,

will he not find the difference, we do not say in the styles, but in the minds of *Junius* and Burke, to be such as to render it quite evident that Burke and *Junius* were not the same person?

SIR PHILIP FRANCIS' CHARACTER OF LORD THURLOW.

"It is well known that a gross and public insult had been offered to the memory of General Clavering and Colonel Monson, by a person of high rank in this country. He was happy when he heard that his name was included in it with theirs. So highly did he respect the character of those men, that he deemed it an honor to share in the injustice it had suffered. It was in compliance with the forms of the house, and not to shelter himself, or out of tenderness to the party, that he forebore to name him. He meant to describe him so exactly, that he could not be mistaken. He declared in his place, in a great assembly, and in the course of a grave deliberation, 'that it would have been happy for this country, if General Clavering, Colonel Monson and Mr. Francis, had been drowned in their passage to India.' If this poor and spiteful

invective had been uttered by a man of no consequence or repute, by any light, trifling, inconsiderate person, by a lord of the bed-chamber, for example, or any of the other silken barons of modern days, he should have heard it with indifference. But when it was seriously urged and deliberately insisted on by a grave lord of parliament—by a judge—by a man of ability and eminence in his profession, whose personal disposition was serious, who carried gravity to sternness, and sternness to ferocity, it could not be received with indifference, or answered without resentment. Such a man would be thought to have inquired before he pronounced. From his mouth, a reproach was a sentence, an invective was a judgment. The accidents of life, and not any original distinction that he knew of, had placed him too high, and himself at too great a distance from him, to admit of any other answer than a public defiance, for General Clavering, for Colonel Monson, and for himself. This was not a party question, nor should it be left to so feeble an advocate as he was, to support it. The friends and fellow-soldiers of General Clavering and Colonel Monson would assist him in defending their memory. He demanded and expected the support of every man of honor in that house, and in the kingdom. What character was

safe, if slander was permitted to attack the reputation of two of the most honorable and virtuous men that ever were employed, or ever perished in the service of their country? He knew that the authority of this man was not without weight; but he had an infinitely higher authority to oppose it. He had the happiness of hearing the merits of General Clavering and Colonel Monson acknowledged and applauded in terms to which he was not at liberty to do more than to allude: they were rapid and expressive. He must not venture to repeat, lest he should do them injustice, or violate the forms of respect, where essentially he owed and felt the most. But he was sufficiently understood. The generous sensations that animate the royal mind, were easily distinguished from those which rankled in the heart of that person who was supposed to be the keeper of the royal conscience."

EXTRACT FROM THE LETTER OF JUNIUS TO LORD MANSFIELD.

"You will not question my veracity, when I assure you that it has not been owing to any particular respect for your person that I have abstained from you so long.

Beside the distress and danger with which the press is threatened, when your lordship is party, and the party is to be judge, I confess I have been deterred by the difficulty of the task. Our language has no term of reproach, the mind has no idea of detestation, which has not already been happily applied to you and exhausted. Ample justice has been done by abler pens than mine to the separate merits of your life and character. Let it be my humble office to collect the scattered sweets, till their united virtue tortures the sense.

"Permit me to begin with paying a just tribute to Scotch sincerity, wherever I find it. I own I am not apt to confide in the professions of gentlemen of that country, and when they smile, I feel an involuntary emotion to guard myself against mischief. With this general opinion of an ancient nation, I always thought it much to your lordship's honor, that, in your earlier days, you were but little infected with the prudence of your country. You had some original attachments, which you took every proper opportunity to acknowledge. The liberal spirit of youth prevailed over your native discretion. Your zeal in the cause of an unhappy prince was expressed with the sincerity of wine, and some of the solemnities of religion. This I con-

ceive is the most amiable point of view in which your character has appeared. Like an honest man, you took that part in politics, which might have been expected from your birth, education, country, and connexions. There was something generous in your attachment to the banished house of Stuart. We lament the mistakes of a good man, and do not begin to detest him until he affects to renounce his principles. Why did you not adhere to that loyalty you once professed? Why did you not follow the example of your worthy brother? With him you might have shared in the honor of the Pretender's confidence—with him you might have preserved the integrity of your character, and England, I think, might have spared you without regret. Your friends will say perhaps, that although you deserted the fortune of your liege lord, you have adhered firmly to the principles which drove his father from the throne!—that without openly supporting the person, you have done essential service to the cause, and consoled yourself for the loss of a favorite family, by reviving and establishing the maxims of their government. This is the way in which a Scotchman's understanding corrects the errors of his heart. My lord, I acknowledge the truth of the defence, and can trace it through all your conduct. I see through your whole life, one uniform

plan to enlarge the power of the crown, at the expense of the liberty of the subject. To this object, your thoughts, words, and actions, have been constantly directed. In contempt or ignorance of the common law of England, you have made it your study to introduce into the court, where you preside, maxims of jurisprudence unknown to Englishmen. The Roman code, the law of nations, and the opinion of foreign civilians, are your perpetual theme;—but whoever heard you mention *magna charta* or the bill of rights, with approbation or respect? By such treacherous arts, the noble simplicity and the spirit of our laws were first corrupted. The Norman conquest was not complete until Norman lawyers had introduced their laws, and reduced slavery to a system. This one leading principle directs your interpretation of the laws, and accounts for your treatment of juries. It is not in political questions only, (for there the courtier might be forgotten,) but let the cause be what it may, your understanding is equally on the rack, either to contract the power of the jury, or to mislead their judgement. For the truth of this assertion, I appeal to the doctrine you delivered in Lord Grosvenor's cause. An action for criminal conversation being brought by a peer against a prince of the blood, you were daring

enough to tell the jury, that in fixing the damages, they were to pay no regard to the quality or fortune of the parties;—that it was a trial between *A.* and *B*;—that they were to consider the offence in a moral light only, and give no greater damages to a peer of the realm than to the meanest mechanic. I shall not attempt to refute a doctrine, which, if it was meant for law, carries falsehood and absurdity upon the face of it; but if it was meant for a declaration of your political creed, is clear and consistent. Under an arbitrary government, all ranks and distinctions are confounded. The honor of a nobleman is no more considered than the reputation of a peasant, for with different liveries they are equally slaves.

"Even in matters of private property, we see the same bias and inclination to depart from the decisions of your predecessors, which you certainly ought to receive as evidence of the common law. Instead of those certain, positive rules, by which the judgment of a court of law should be invariably determined, you have fondly introduced your own unsettled notions of equity and substantial justice. Decisions given upon such principles do not alarm the public so much as they ought, because the consequence and tendency of each particular instance, is not observed or regarded.

In the mean time the practice gains ground; the court of king's bench becomes a court of equity, and the judge, instead of consulting strictly the law of the land, refers only to the wisdom of the court, and to the purity of his own conscience. The name of Mr. Justice Yates will naturally revive in your mind some of those emotions of fear and detestation, with which you always beheld him. That great lawyer, that honest man, saw your whole conduct in the light that I do. After years of ineffectual resistance to the pernicious principles introduced by your lordship, and uniformly supported by your humble friends upon the bench, he determined to quit a court whose proceedings and decisions he could neither assent to with honor, nor oppose with success."

Such, in our opinion, is the state of the question: all external evidence is in favor of Sir Philip, all internal evidence is against him. Thus the argument on each side neutralizes the argument on the other, and the pretension of Sir Philip vanishes.

A third hypothesis is therefore necessary: the conclusion to which it should lead, ought to be such as is consistent with the evidence on each side, and restores to each its individual activity.

Now this is done, and perhaps can only be done by supposing that Sir Philip was not *Junius*, but the amanuensis of *Junius;* that the real *Junius* was too high to be bought; so that when he made his terms with government, he was contented to remain in a proud obscurity, but stipulated a boon for his scribe, and was of consequence enough to insist that the boon should be liberal. Now several passages in *Junius*' *Letters* seems to show that he employed an amanuensis. In a note to Woodfall, he says, "You shall have the "letter some time to-morrow. It cannot be corrected "and copied sooner." In another he says, "The en- "closed, though begun within these few days, has been "greatly labored. It is very correctly copied." In "another he mentions, "the gentleman who transacts "the conveyancing part of their correspondence," and "who told him, "there was much difficulty last night." That gentleman, therefore, must have known that a mysterious something attended these letters. Mr. Jackson's testimony, as reported by Woodfall, is, that "this gentleman wore a bag and sword." If the recollection of the writer, that *Junius*' letter to the King, is in a handwriting different from the handwriting of the other letters, be accurate, the evidence for an amanuensis is certainly very strong.

If the copies to which *Junius* refers, were made not by himself, but which is certainly most probable by some other person, it follows incontrovertibly, that Sir Philip Francis and *Junius* were different persons.

We do not, however say, that Sir Philip was a mere copyist: he may occasionally have conveyed useful information, and suggested useful hints to his principles, so that, to a certain extent, he might, without impropriety, be said to have been his collaborator.

To this hypothesis, the reminiscent begs leave to say, that he inclines; it includes all the *data* required by him for the author of *Junius;* it equally admits the arguments in favor of Sir Philip Francis from external, and the arguments against him from internal evidence, and reconciles and gives activity to each.

Junius in his dedication, prefixed to his own edition of his letters, declares that, "he was the sole depositary of his own secret." This seems not to be easily reconcileable with what he says in one of his letters to Woodfall. "The truth is, that there are people "about me whom I would wish not to contradict, and "who had rather see *Junius* in the papers ever so im-

"properly, than not at all." This sounds like the language of a partisan, who felt both his talents and his chains; and it may be thought a confirmation, though slight, of the reminiscent's hypothesis.

Another and very powerful objection is found in the limited means, and subordinate situation of Sir Philip Francis, at the time of the publication of the letters. In his private correspondence with Woodfall, *Junius* describes himself as a man of fortune, of ample means to indemnify his publisher for all pecuniary damage and loss, constantly proffering assistance, and refusing any participation in the profits of his work. When the first edition was upon the point of publication, Woodfall urged him either to receive half the profits, or to point out some institution to whom it might be presented. His reply is contained in a private letter to Woodfall in these words:—"What you say about the profits is "very handsome. I like to deal with such men. As "for myself, be assured, that '*I am above all pecuniary* "*views*,' and no other person I think has any claim to "share with you. Make the most of it therefore, and "let your views in life be directed to a solid, however "moderate independence: without it, no man can be "happy or even honest." Again he writes, "For the "matter of assistance, be assured, that if a question

"should arise upon any writings of mine, you shall "never want it. In point of money be assured you shall "never suffer." When the printer was prosecuted he writes in this manner. "If your affair should come "to trial, and you should be found guilty, you will "then let me know what expense falls particularly on "yourself, for I understand you are engaged with "other proprietors; some way or other, *you* shall be "reimbursed."

In his public letters he maintained the same idea, hinting at his own rank and importance. "I should have "hoped that even my name might carry some authority "with it." And again to Sir William Draper, "You "cannot but know, that the republication of my letters "was no more than a catch-penny contrivance of a "printer, in which it was impossible I should be con- "cerned."

In every of these instances, the declarations and expressions are made unaffectedly, and without the slightest air of pretension.

Now it so happens that none of these circumstances belong in any sense to the situation, rank, or means of Francis. He was a subordinate clerk in the War-office,

and possessed no other fortune than his salary of £400 per annum.

Besides the inequality of talent, and the want of fortune, the advocates of Francis have a formidable obstacle to encounter in his want of leisure. The letters of *Junius* are admitted to be productions of great labor; and it is difficult to conceive how the writer could collect his facts, and compose so much, and with such difficulty, with another occupation and a divided attention. "Such finished forms of composition," says the author of the preliminary essay prefixed to the last edition of Woodfall's *Junius*, "bear in "themselves, the most evident marks of elaborate fore-"cast and revisal; and the author rather boasted of "the pains he had bestowed upon them than attempted "to cancel his labor." Again, in a subsequent part; no man but he who with a thorough knowledge of our author's style, undertakes to examine all the numbers of the Public Advertiser for the three years in question, can have any idea of the immense fatigue and trouble he submitted to. Instead of wondering that he should have disappeared at the distance of about five years, we ought much rather to be surprised that he should have persevered through half this period, with a spirit at once so indefatigable and invincible. *Junius* in his

private letters, complains of his "weariness," the "*slavery of writing.*" The habits of composition of Sir Philip Francis were (in the given account by his biographers and advocates,) slow and difficult; so far they coincide with *Junius*. But he held a station of confidence and trust in an important and laborious office, requiring his constant attendance and personal labor. The inquiry then naturally arises—was it possible for him in addition to his official duties, and with his habits of composition, to have maintained so long, full and perfect a correspondence with the public—with Woodfall in private—with Mr. Wilkes and others? The essay above referred to, goes on to maintain, that in the year 1769, "the author maintained not less than fifty-four communications with Mr. Woodfall; that not a single month passed without one or more acts of intercourse; that some of them had not less than seven, and many of them not less than six; at times directed to events that had recurred only a few days antecedently; that the two most distant communications were not more than three weeks a-part; that several of them were daily, and the greater part of them not more than a week from each other." Add to this the correspondence with Wilkes, and the public letters, and it will be seen at once that Sir Philip Francis could not have been *Junius*.

The claims of Sir Philip are further supported, (and indeed this is the chief support) by the circumstance that, without family, fortune, or interest at court; in short, without any claim to the notice of the administration, he was suddenly appointed to a high and lucrative office in India, such as a nobleman would be proud to accept. This, say his advocates, shows that something was attached to Sir Philip Francis, which made the purchase of him at that time, even at a high price, an object to government. Now, at the critical moment, when he was promoted, *Junius* ceased to write; hence they conclude, the silence of *Junius* was purchased by the promotion of Sir Philip.

This might be accounted for upon Mr. Butler's hypothesis, without going into other proof, or concluding that Sir Philip was himself *Junius*. To this however there is a strong objection, which goes to the entire argument in favor of Sir Philip Francis, either as amanuensis or principal, drawn from his handwriting. It is admitted by all, that *Junius* was exposed to great danger in publishing his letters, of this he appears constantly sensible, anxiously enjoining upon his publisher the severest caution, and declaring his conviction "*that he should not survive the discovery three*

days." Now, Mr. Taylor's unforced admission destroys Sir Philip's claims from this argument. "Easy "access," says he, "to his writing might be had both "in the War-office and the Secretary of States' office. "During the fourteen years that he was occupied in "those departments, it must have met the eye of many "persons both in administration and out of power. "Lord Chatham knew it well, for Sir Philip at one "time acted as his Secretary—Lord Holland, the Earl "of Egremont, the Earl of Kinnoull, Mr. Calcraft, and "many others were no strangers to it. To Lord Bar- "rington the character was familiar, and the different "clerks, Bradshaw, Chamier, &c. might have recog- "nized it in spite of the disguise."

It is upon other grounds then, than as amanuensis of *Junius* that the promotion of Sir Philip must be accounted for; we shall copy the account given of it in the authentic memoirs of his life, quoted so often by Mr. Taylor, to which we shall add Sir Philip's own statement given in the House of Commons, of the patrons of his early life; and we shall, I think, discover the reasons why he characterized the attempt to identify him with *Junius*, "as false and malignant." We shall find that his only friends and efficient patrons, before,

during, and after the time of the publication of the letters of *Junius*, were the very men whom *Junius* most bitterly and unsparingly attacks and abuses.

"In 1763 he was appointed by the late Lord Mendip, then Wellbore Ellis, Esq., Secretary of War, to a considerable post in the War-office, which he resigned in 1772, in consequence of a difference with Viscount Barrington, by whom he thought himself injured. Possibly Lord Barrington thought so too, or that something was due to Mr. Francis, as will appear hereafter. The greatest part of the year 1772, he spent in travelling. In about a half year after his return to England, Lord Barrington most honorably and generously recommended him to Lord North, by whom his name was inserted in an Act of Parliament, passed in June 1773, to be a member of the council appointed for the government of Bengal, in conjunction with Warren Hastings, Governor-general; John Clavering, Commander-in-chief; George Monson, and Richard Barwell."—*Memoirs.*

Of equal validity is what fell from Sir Philip in the course of a speech on India affairs, where he gave a short account of "such particulars of his public life as

led to his appointment to India." Mr. Francis observed, "that he had been brought up in the Secretary of "State's office, where he had the happiness to pos- "sess the favor of the late Earl of Egremont, then "Secretary of State. That in 1763, Mr. Ellis had "appointed him to fill a station of great trust in the "War-office. That Lord Barrington who succeeded "Mr. Ellis, had recommended him to a noble lord, "as a fit person to be sent out to India, as a member "of the government of Bengal. Till that recommen- "dation he had not the honor of being known to Lord "North. He had, therefore, obtained a seat in the "council at Calcutta, not through any private interest "or intrigue; but he was taken up upon recommenda- "tion, and that the recommendation of persons of "high rank; those who best knew his character and "qualifications, and who certainly would not have so "far disgraced themselves as to have recommended "an improper person, knowing him to be such, to go "out to India in a station of so much power and im- "portance. He had accordingly been nominated with "General Clavering and Colonel Monson, in the bill "of 1773." On another occasion, Sir Philip says, "In the early part of my life I had the good fortune "to hold a place very inconsiderable in itself, but im-

"mediately under the late Earl of Chatham. He "descended from his station to take notice of mine, "and he honored me with repeated marks of his "favor and protection. How warmly in return I was "attached to his person, and how I have been grateful "to his memory—they who know me know *****. In "the year 1760, Mr. Secretary Pitt recommended it "to the late King, to send the present Earl of Kin- "noull, Ambassador Extraordinary and Plenipoten- "tiary to Lisbon. *The same recommendation* engaged "the noble lord to appoint me his Secretary."

Mr. Butler, in note, page 81, of his reminiscences, says:—"The reminiscent has been informed by the "present Bishop of Durham, that Sir Philip owed "his continuance of his seat in the War-office, to "the kindness of Lord Barrington, the prelate's "brother; and that Sir Philip's appointment to India "was chiefly, if not wholly due to his lordship's re- "commendation of him to Lord North."

In these extracts and avowels, we have distinctly traced the progress of Sir Philip Francis in the confidence of several of the most influential men of the the day:—Lord Chatham, the Earl of Egremont, the

Earl of Kinnoull, Mr. Ellis, (afterwards Lord Mendip) and Viscount Barrington, (for we can scarcely consider the temporary dispute with his lordship as of any improtance, it being so speedily reconciled and followed by such evidence of increased favor on the part of the Viscount.) The promotion received by Sir Philip may therefore be fairly considered as a high, perhaps too high a reward for diligent services in inferior departments, as a boon bestowed by partial friendship; but worthily bestowed as his honorable and diligent discharge of embarassing duties, as his distinguished talents and patroitism have since fully shown. It does not appear that at the time of the appointment of Sir Philip, any such extraordinary excitement was produced, as is always the case, when an obscure man is promoted above his deserts, and without ostensible cause. Even the most acute, (and when personal resentments mingle with party feeling, even dullness can overcome a considerable degree of selfish acuteness,) did not from the appointment prove the connection of Sir Philip Francis with the "audacious libeller," or seek to account for the singularity of a clerk in the War-office obtaining so high an office; by supposing a singularity even more remote from probability, and approaching the impossible, that that clerk must have been *Junius*. But

there is a more solemn argument arising upon these facts which appears to the moral feeling of all the advocates of Sir Philip. The successful attempt to identify him with *Junius* would be followed by the total sacrifice of his public and private character; and this is why he adds to its description of "false," the epithet "malignant." Most of the persons above mentioned as the patrons of Sir Philip, and so acknowledged with gratitude by himself on several occasions, were, during the very time that Sir Philip was receiving their favors, the objects of the most unmeasured and rancorous abuse of *Junius*. A paper written under another signature, but avowedly written by *Junius*, employs nearly the same terms of indignation towards Lord Chatham, which were afterwards so vehemently applied to the Duke of Grafton. "The memoirs of Lord Barrington" are an evidence of his unmitigated, and evidently personal hatred and contempt of that nobleman. Towards Mr. Ellis, who seems to have been the steady friend and patron of Sir Philip, and highly instrumental in every step of his advancement, the language of *Junius* is uniformly contemptuous in the highest degree. "The *Gui Faux* of the fable Wellbore Ellis." "Little Mannikin Ellis." "The most contemptible little piece of machinery in the whole kingdom."—

"Poor man." Is this the language of a dependant, applied to a powerful and disinterested friend? If so, it is the language of one destitute of every feeling of gratitude and honor, and sense of the common decencies of life; I acquit Sir Philip Francis of the baseness, and have not "the malignity" to charge him with the authorship of *Junius*.

There are many minor arguments against his claims, in addition to the above; but they constitute to my mind, abundant and convincing proof of what I may properly term the innocence of Sir Philip Francis.

CHAPTER III.

The claims of Sir Philip Francis, which have been thus briefly, but I think conclusively discussed, are the strongest which have ever been heretofore advanced in favor of any candidate. But the arguments I have urged in the last chapter, appear to me to be so strong against his claims, as in the judgment even of his advocates, to neutralize at least the arguments in his favor. And being confirmed by the opinions of such men as Mr. Butler and Dr. Parr, who have examined the subject, and are so well qualified to decide upon that examination, I venture to pronounce him not *Junius*. The preliminary essay which has been alluded to, has treated of all the proofs which have at several times been brought forward, for the substantiating of different claims, and summarily disposed of them all. The pretensions of Lloyd, Roberts, Dyer, Rosenhagen, Boyd and Wilkes, are examined, and refuted decisively. Burke, Flood, Hamilton, Lord Sackville, General Charles Lee, Dunning, (Lord

Ashburton,) are severally mentioned, and their pretensions disproved.

We shall insert, in his own words, the summary view which the able writer of that essay takes of the character which he has been enabled to assign to *Junius*, from an attentive perusal of his letters, public and private, and the admissions therein contained. We shall then endeavor to show how closely the mind, character and circumstances of JOHN HORNE TOOKE, correspond with all we know of *Junius*. "From the observations contained in this essay, it should seem to follow, unquestionably, that the author of the letters of *Junius* was an Englishman of highly cultivated education; deeply versed in the language, the laws, the constitution, and history of his native country; hat he was a man of easy, if not affluent circumstances, of unsullied honor and generosity, who had it equally in his heart and in his power to contribute to the necessities of those who were exposed to troubles of any kind, upon his own account; that he was in habits of confidential intercourse, if not with different members of the cabinet, with politicians who were most intimately familiar with the court, and intrusted with all its secrets; that he had attained an age which would allow him, without vanity, to boast of an

ample knowledge and experience of the world; that during the years 1767, 68, 69, 70, 71, and part of 72, he resided almost constantly in London, or its vicinity, devoting a very large portion of his time to political concerns, and publishing his political lucubrations, under different signatures, in the Public Advertiser. That, in his natural temper, he was quick, irritable and impetuous, subject to political prejudices, and strong personal animosities, but of a high independent spirit, honestly attached to the principles of the constitution, and fearless and indefatigable in maintaining them; that he was strict in his moral conduct, and in his attention to public decorum, an avowed member of the established church—and, though acquainted with English judicature, not a lawyer by profession."

To pursue this inquiry with the attention it deserves, it will be first of all necessary to examine how far the life, character, and opinions of HORNE TOOKE qualify him for being considered the writer of *Junius*. For this purpose the following brief memoir of his life has been compiled from several biographical sketches:—

JOHN HORNE, afterwards known as JOHN HORNE TOOKE, was the son of a Mr. Horne, Poulterer, in Newport-street, Westminster, and was born on the

26th of June, 1736. His father attained considerable opulence, and became well known as Treasurer of the Middlesex Hospital. JOHN HORNE enjoyed the best advantages that his native city could afford, having been sent to Westminster at an early age. It was soon remarked that HORNE possessed considerable talents and application; but these were only exerted on extraordinary occasions, for at other times he was rather indolent, and so *chary* indeed was he of his abilities and his industry, that he was often accustomed to employ lads of an inferior capacity to perform his tasks for him. Mr. HORNE, at the usual age, removed to Eaton, and soon distinguished himself among his contemporaries by the shrewdness of his remarks, the keenness of his wit, and the severity of his satire—satire never exerted but against what either was or appeared to him to be an abuse. From this celebrated school, the cradle of so many men of worth and talent, he was sent to Cambridge, and entered of St. John's College, in 1754. Here he took his degree of A. B., and afterwards officiated as an usher in a boarding-school at Blackheath. In the choice of a profession, that of the law seems to have been the object of Mr. HORNE'S partiality. But his family, who had never sanctioned his attachment to legal studies, deemed the church far more legible as a profession, and he was

obliged to yield to the admonitions and entreaties of his parents. It seems, however, that a compromise took place, and an assurance was given him of a permanent provision in case he abandoned the law. Accordingly in 1760, he was admitted a Priest of the Church of England, by John Thomas, Bishop of Sarum; having previously received Deacons orders, and officiated as curate in Kent. Upon this he was inducted into the living of Brentford, purchased for him by his father. Here he officiated for some time, but in 1763, we find him travelling on the Continent as tutor to Mr. Elwes, son of the celebrated miser of that name. Towards the end of the year 1764, the tutor, who was delighted with this tour, returned with his pupil to England; and had he been heartily attached to his profession, there can be but little doubt that he might have enjoyed a fair share of its advantages. While a boy, he had been introduced at Leicester House, by means of Dr. De Mainbray, who was still caressed by the young monarch, and was accustomed to play with his majesty, (George III.) who was exactly two years younger than himself, once or twice a-week. He enjoyed the friendship of Mr. Elwes, who possessed considerable influence; and he was also patronized by Mr. Levinty, the Receiver-general of the Customs. By the kind intervention of the latter, appa-

rently exerted through the channel of a nobleman in high favor at court, he was promised to be appointed one of the King's Chaplains; and had a prospect of such other preferment as was sufficient to satisfy his wishes. In fine, a man so gifted and so favored, might have aspired to all the honors of his profession; and if he had not reposed, like his friend Dr. Beadon, beneath the shadow of a cathedral, or erected his mitred front in company with the Horsleys and Douglases, and the Watsons of his day; yet, like Paley, and many other of the inferior dignitaries of the church, he might have enjoyed wealth, respect, and that learned ease so dear to a man of letters.

But we shall soon discover that these flattering and seductive prospects did not prove sufficient to counteract certain impressions, which had been indelibly engraved on a mind, at once bold and original; avaricious of fame, and disdainful alike of riches and preferment, when these appeared to be in opposition to his principles.

Matters were in this train, when unexpected events of a public nature occurred, and the part which Mr. HORNE took in them, destroyed all his prospects of preferment.

These events are found to have originated in the illegal imprisonment of the celebrated John Wilkes. This gentleman, who had commenced his career as a partisan of Mr Pitt, then ex-minister, had been treated with a degree of rancor unsactioned by sound policy, and a rigor unjustified by the laws. This arbitrary arrest and imprisonment when member for Aylsbury, by a general warrant afterwards declared to be illegal, called forth the energies and jealousy of the whole nation. Arrested and sent to the tower by an illegal process, the sympathy of the nation was aroused in his behalf, and he was soon after liberated, in consequence of a solemn decision of a court of law, amidst the acclamations of the people. As the rights of all were supposed to have been violated, so the franchises of the whole body of the nation were soon after said to be grossly infringed in his person; and the unceasing enmity of the ministers of that day never abated for a single moment, until, by a long series of persecution, Wilkes became the most popular man in the kingdom.

This conduct, which savoured of imbecility and injustice, was ascribed by some to treachery. The most sinistrous intentions were attributed to those in power; and suppositions were entertained by many of a settled design to enslave the people.

Even the prince himself, who, by a wise policy, is sheltered from all personal responsibility, did not escape animadversion, and was no longer saluted by those loyal gratulations with which he had been recently hailed.

Such was the situation of public affairs, and so feverish and irritable the minds of the nation, when the subject of this essay first appeared on the scene. Bold, ardent, enthusiastic, he suspected that a regular plot was actually formed for its destruction, and already anticipated the time, when, like Denmark, about a century before, and Sweden, at a subsequent period, the liberties of Great Britain were to be laid prostrate at the feet of a young, artful, and ambitious monarch.

This suspicion, however strange and unaccountable it may appear to some, he cherished until the day of his death; and this ought to be considered as one of the SECRET, but powerful springs, by which all the actions of his future life were actuated.

It will, therefore, appear less surprising, perhaps, that a man, who considered every infringement of the British constitution as a sacrilege, should, on such an

occasion, be ready to dash the untasted cup of preferment from his lips, and begin his career, by offering up the greatest of all sacrifices, at the altar of public freedom. From this moment, therefore, he devoted himself to what he considered the public cause; and laying aside all thoughts of ecclesiastic preferment, he seemed to have determined early in life, either to vindicate the liberties of his country, or suffer as *a martyr* in their defence.

Mr. HORNE, after this occurrence above alluded to took place, went abroad, having been invited by Mr. Taylor to accompany his son during an excursion into Italy, in 1765. The active part he had taken in behalf of the opposition then under the leading of Mr. Pitt, had closed against him all the avenues of church preferment, and the direct interference of some of the most powerful men of the ministerial side, had put a perpetual seal upon his exclusion.

When Mr. Wilkes returned from France, and being foiled in his attempt to represent the city of London, canvassed for Middlesex, in 1768; Mr. HORNE opened houses for him at Brentford, at his own risk, and supported his interest so actively, as finally to

enable him to be returned to parliament as one of the Knights of the Shire for Middlesex. It was he who infused a portion of his own spirit and ability into the committees for managing the contest; it was he who sometimes in company with the popular candidate, and sometimes by himself, addressed large bodies of the electors, who had been collected in different places for that purpose. In short, in opposition to calculation, and, as if to set experience and precedent at defiance, Mr. Wilkes, whose fortune was desperate, and whose person was liable every moment to be seized by a tipstaff, proved finally successful. In consequence of a generous burst of indignation, excited by a clergyman of the Church of England, whose whole income arose out of a small benefice, the latter thus suddenly, as if by magic, found means to return an outlaw, as Knight of the Shire for the county of Middlesex, by the votes of a great majority of freeholders.

It was about this time that Mr. HORNE obtained some influence in the town of Bedford, and, in consequence of this, soon became an elector. The Duke of Bedford, the patron of that corporation, had rendered himself extremely unpopular, partly by having nego-

ciated the peace of Paris, and partly by a political alliance with the Duke of Grafton, who had lately deserted from the party of the Earl of Chatham, and erecting his own standard, became prime minister.

By way of retaliation on the former, it was determined to attack him in what was deemed a vital part. Accordingly, on discovering that he was extremely obnoxious in his own borough, a successful attempt was made to liberate it from his influence. In this political struggle, the subject of the present memoir most heartily concurred; and, as he never did any thing by halves, became one of the most active of the insurgents. The contest took place September 4th, 1769, on the election of mayor and bailiffs. The Duke, who was present, finding himself unable to prevail in his wish, (not to add to the number of freemen) requested of the corporation to nominate twenty of his own friends. When the names of those on the popular side were read, he restrained his indignation, until that of "JOHN HORNE" was pronounced, when his grace was pleased to express himself with great bitterness. On a division, this candidate was, however, elected by a majority of six, there being seventeen votes in his favor, and eleven against him.

Junius, with his accustomed bitterness, was pleased on this occasion, to denominate the nobleman in question, "the little tyrant of a little corporation:" and observed, "that, to make his late defeat more ridiculous, he had tried his whole strength against Mr. HORNE, and was beaten on his own ground."

Soon after this we find Mr. HORNE engaged in an unpleasant dispute with Mr. Onslow. That gentleman, while in opposition, had proved a warm and strenuous supporter of Mr. Wilkes: but having been afterwards admitted into favor by the court, he obtained an office under the Grafton administration; and was now, as usual, both considered and treated as a deserter from the popular cause.

In the mean time, he entered into a controversy of a very disagreeable nature with that gentleman; in the course of which, a charge of the most flagrant corruption was openly made by the one party, while it was repelled by the other, with the most pointed disavowal. This produced a civil action, brought by Mr. Onslow, against Mr. HORNE, which was tried before Sir William Blackstone, at Kingston, April 6th, 1770. The damages were laid at £10,000. At this

trial the plaintiff was nonsuited. Upon a motion to set aside the nonsuit, a new trial was granted, and, on this occasion, the Earl of Mansfield presided.—He was accused by Mr. HORNE of charging the jury with great partiality, and hurrying the trial, for the purpose of packing the jury by talismen, before the special jury arrived. The jury gave a verdict for the plaintiff, with £400 damages.

Undaunted at the result, and doubtless rejoicing at an opportunity of contending with, and perhaps foiling this learned and eloquent judge, with his own weapons, Mr. HORNE determined to appeal to a superior tribunal. Accordingly, on November 8th, 1770, a rule was moved for in the Court of Common Pleas, to show cause why the second verdict should not be set aside, and the 26th of the same month was the day appointed for an argument on the question before the twelve judges. Mr. Serjeant Glynn, on this occasion, restated his former reasons, with his usual ability, and insisted that the last jury had acted not only under *misdirection* on the part of the judge, but that the latter had delivered a charge to them in express violation of the received principles of law. As this was deemed a point of great importance, to prevent

a hasty decision, and give ample time for deliberation, final judgment was adjourned until next term. On the recurrence of that period, the judges, in April 17th, 1771, finally and unanimously declared in favor of the defendant, in consequence of which the second verdict was set aside.

This, of course, afforded no small exultation to Mr. HORNE, who had directed and superintended the proceedings; as he had thus publicly proved, in the face of the whole nation, that the Lord Chief Justice, great and able as he assuredly was, could not now be considered as infallible; and from this day forward, he took every opportunity to arraign the conduct, underrate the talents, and oppose the opinions of that celebrated man.

Meanwhile the ministers still remained unpopular, and the county of Middlesex, which was deprived of the services of its favorite representative, was eager, on all occasions, to attack their principles and impeach their conduct. On turning to the proceedings of this period, it will be found that the vicar of New-Brentford was not idle. Incited by his usual enthusiasm, he not only acted a conspicuous part on every public oc-

casion, but for a time exercised a kind of paramount jurisdiction over all the political proceedings of that day. It was by his instigation that Mr. Beckford, Lord Mayor, in 1770, made a verbal reply to his majesty's answer to a remonstrance from the city of London; and, that he drew up that reply as inscribed on the pedestal of Mr. Beckford's statute in Guildhall. He is regarded also, as the principal founder of the "society for supporting the Bill of Rights," of which he was an active member, and by his exertions, Bingley, a printer, who had been committed to prison by Lord Mansfield, for refusing to appear for the purpose of answering to interrogatories, was at length liberated. In the years 1770 and 1771, a quarrel took place between Wilkes and HORNE, without incurring any just charge against his political integrity. "I found you," says he, in a letter addressed to Mr. Wilkes in 1771, after that gentleman had treated him with no common degree of ingratitude, "in the most helpless state—an outlaw; plunged in the deepest distress; overwhelmed with debt and disgrace; forsaken by all your friends, and shunned by every thing that called itself a gentleman; at a time when every honest man, who could distinguish between you and your cause, and who feared no danger, yet feared the ridicule attending a probable defeat."

"Happily we succeeded, and I leave you by repeated elections, the legal representative of Middlesex, an Alderman of London, and about £30,000 richer than when I first knew you: myself by many degrees poorer than I was before; and I pretend to have been a little instrumental in all these changes of your situation."

At the period, and upon the occasion of this rupture, the celebrated controversy between JOHN HORNE and *Junius* took place, of which we shall have much to say hereafter.

In 1771, he took his degree of A. M., although opposed by some members, among whom were Mr. Paley and Mr. Bromley, afterwards Lord Mumford. It was to his exertions that the liberty of the press was vindicated in the persons of the printers who published the debates of the House of Commons, and the freedom of publication has been continued ever since.

In 1773, he threw off his clerical garb, and proposed to resume his legal studies with a view to the profession. But at this time an incident occurred which was of material importance, with respect to his future

fortune. Mr. Tooke, of Purley, in Surrey, had ineffectually opposed an inclosure bill, which was likely to be detrimental to his estate, and as this bill was passing rapidly through the Commons, he applied to HORNE for advice. The following are the circumstances of the case:—

Mr. Wm. Tooke, a man of considerable fortune, with whom Mr. H. had been long intimate, and who, during his controversy with Mr. Wilkes, had borne public testimony to his honor and integrity, had purchased the estate of Purley, situate near Godstone, in the county of Surrey. This circumstance had given birth to many disputes with Mr. De Grey, a neighbouring gentleman of great influence, whose lands adjoined his, and who, as lord of the manor, claimed a paramount jurisdiction over certain parts of his newly acquired property. They had contended, in the courts of law, about fish-ponds and common rights; and an attempt was now made, by means of an act of parliament, to settle the dispute forever. Accordingly, on Tuesday the 10th of February, 1774, a bill was brought in by Sir Edward Astley, to enable Thomas De Grey, Esq., to inclose several common lands and fields in the counties of Norfolk and Surrey. Mr. Alderman Saw-

bridge immediately presented a petition from Wm. Tooke, Esq., requesting delay, on the ground that the usual notice had not been given to the inhabitants, and that the inclosures in question, so far as regarded the county of Surrey, would prove highly prejudicial both to them and himself. It was also added, that, to pass this bill, while the title to part of the lands was still in litigation, would be indecent and unprecedented, being highly detrimental to the interests of the petitioner and others. This request, however, was not complied with, for the bill was ordered to be read again, on an early day; and an intention was plainly evinced of precipitating it through its various stages.

It was in this dilemma that Mr. Tooke applied to Mr. HORNE, and earnestly entreated him to interpose. Mr. H. suggested a remedy, which was to commence with a libel on the Speaker, which libel he would undertake to write. Accordingly he stated the case, accompanying the statement with some severe reflections, and sent it to the Public Advertiser. When the paragraph was on the next day reported to the house and read, it occasioned great irritation, and a motion was made for calling the printer before the house. Mr. HORNE, as the acknowledged writer, was called to the

bar; he immediately obeyed the summons, and in a respectful manner confessed, that through hatred to oppression, and zeal to serve a friend, he had been urged beyond the bounds of discretion. After a long debate, he was remanded from the bar in custody of the Sergeant-at-arms, and upon being brought up some days after, he was, by the good offices of some friends, discharged upon paying his fees. His purpose was however answered—time was thus given for reconsidering the obnoxious bill, and the exceptionable clauses were either altered or withdrawn.

It was thus, by the exercise of his talents, the sacrifice of his personal liberty, and at the risk of the utmost vengeance which a House of Commons could inflict, that the subject of this work rendered himself eminently useful to Mr. Tooke; and that gentleman, not content with the warmest expressions of gratitude and esteem, appears from this moment to have singled him out as the heir to the fortune, which he had preserved entire by his skill and intrepidity.

Mr. HORNE now retired once more to his peaceful retreat, in the vicinity of old Brentford, where he applied himself assiduously to the study of the law, and

had already qualified himself for the bar, when the rumour of an approaching contest with the colonies discomposed his slumbers, suspended his labors, and, by rendering him once more a politician and a patriot, finally precluded all hopes of advancement in his new career.

Mr. HORNE was an early opponent of the war with America, which, at that period, occupied the attention and excited the alarms of the kingdom, and has the singular fortune to be the only man of any note, who was punished for his opposition, by the laws. When the news of the battle of Lexington arrived, the constitutional society voted £100 to the widows and children of the Americans who had fallen in it; and the resolution to this purpose, printed in the public papers, was signed by JOHN HORNE. In this resolution, the sufferers were denominated, "Englishmen who preferring death to slavery, were for that reason only, inhumanly murdered by the King's troops at Lexington." For this paragraph he was prosecuted, and tried at Guildhall, in July 1777, on which occasion he pleaded his own cause. Notwithstanding the spirit and accuteness with which he defended himself, he was sentenced to twelve months imprisonment, and to pay a fine of £200.

From this trial, as reported by Mr. Gurney, we shall have occasion to quote in the progress of this work.

In the course of the trial, he first appeared before the public as a grammatical critic; and in 1778, he printed a letter to Mr. Dunning, which discussed the force and meaning of certain conjunctions and prepositions employed in his indictment, and which was the foundation of a large work, afterwards published. In the following year, he was disappointed in his expectation of being called to the bar; for though he was eminently qualified for the profession to which he aspired, he was rejected under the pretext of his being still a clergyman.

On applying for a *call*, in 1779, instead of granting this request, with the usual facility, the benchers affected to demur, and actually withheld their assent to the name of "JOHN HORNE," at the same time permitting all the other candidates to become barristers without the least objection. On being desired to explain, they expressed their doubt as to the eligibility of the gentleman in question. They could not urge any thing against his character, for it was respectable; against his station, for it was creditable; against his education,

for he had aspired to, and obtained the honors of his college; or against his talents, as these were allowed to be eminent, and indeed constituted the sole disqualification. This last circumstance is said to have created a mean jealousy on the part of some practising lawyers, who were afraid of being eclipsed by a new competitor: but the chief opposition sprung from another quarter; his politics were avowedly unfriendly to those in power, and he had already successfully opposed certain principles of law, as laid down by Lord Chief Justice Mansfield. To have repaired to the Court of King's Bench, not in the character of a raw and unfledged counsel, attending for his turn to make a *motion of course;* but as an adult, and able practitioner, descending into the forum, like Minerva from the head of Jupiter, armed and prepared for the combat, was too much to be borne by this celebrated and able, but timid and resentful judge.

This Mr. HORNE felt as a very grievous disappointment, and with a mind not a little exasperated, he devoted himself to politics. Accordingly, in 1780, he published a pamphlet, entitled, "Facts," keenly reviewing Lord North's administration, and containing two chapters on Finance, supplied by Dr. Price.

Soon after the termination of the American war, parliamentary reform became a popular topic; and in 1782, HORNE published a letter to Mr. Dunning, (afterwards Lord Ashburton,) under the title of "a letter on Parliamentary Reform, containing the sketch of a plan," of which we shall merely say, that he disapproved of universal suffrage. Mr. Pitt was at this time a fellow advocate in the same cause. HORNE now avowed himself the friend of Mr. Pitt, in opposition to Mr. Fox, whose coalition with Lord North he very much disapproved. In 1786, Mr. HORNE having assumed the name of his friend Mr. Tooke, published his "*Epea Pteroenta*, or Diversions of Purley," so called from the country residence of his friend. Of this work, founded on his letter to Mr. Dunning, already mentioned, the most prominent subject of discussion was the derivation of conjunctions and prepositions from verbs and nouns, whence they acquired a determinate meaning, often different from that which has been arbitrarily imposed upon them. This work attracted the notice of philologists, and gave to the author a high rank among writers on the philosophy of language. Politics however diverted his attention from subjects of this nature, and in 1788, he published "two pair of portraits," the figures in which were the two Pitts and the

two Foxs, of the past and present generations. The first name was strongly illuminated, and the latter thrown into a dark shade. He might probably, however, at a later period, here adopted a different mode of colouring. In 1790 he opposed Mr. Fox and Lord Hood, at the election of representatives in parliament for Westminster; and although professing himself unconnected with party, and determined neither to open a house nor to give away a single cockade, he polled near 1700 votes, without solicitation or corruption. On the occasion of his defeat, he presented a petition to the house, in support of which, he freely indulged himself in very bitter sarcastic invective.

This petition was voted by the House of Commons, "*frivolous and vexatious;*" for which reason a demand was made on the petitioner for certain damages which were supposed to have ensued, in consequence of his appeal to the House of Commons. This matter was at length referred to the courts below, and a trial of course took place in the King's Bench, which proved not a little memorable on account of the circumstances that attended it.

Mr. TOOKE, who acted on this as on other occa-

sions, without recurring to the aid of counsel, addressed the jury in a long and able speech, in which he endeavoured to impress on their minds, that there were only three efficient and necessary parties in the present cause: Mr. Fox, the plaintiff; himself, the defendant; and themselves, the gentlemen of the jury. "The judge and the crier of the court," added he, "attend alike in their respective situations, and they are paid by *us* for their attendance—we pay them well: they are hired to be the assistants and reporters, but they are not, and they were never intended to be, the controllers of our conduct." This was not a trial, he observed, between Mr. Fox and him, about the trifling sum of two hundred pounds: that was by no means the ultimate object: a great and important national right was at stake: the last and only security which the full grown corruption and iniquity of the times had left to the people of the land for their lives, their liberties, and their fortunes; this last and only security, "a real trial by a jury of our countrymen, is now attempted to be wrested from us."

After entering into a variety of curious and interesting details relative to the two prevailing parties of the day, which a change of circumstances and of times

precludes the necessity of dwelling on. Mr. TOOKE complained of the crimes implied in the words, "frivolous and vexatious," invented in 1789, the judgment and application of which were reserved for another tribunal: this action of debt he considered as a penalty for the commission of a new offence; the act itself, he said was a *spring gun*, and spoke plain language, not to be misunderstood:—"Tread not near our boroughs, for woe to the man in future who shall be caught in our traps, *our frivolous and vexatious traps.*"

After a variety of pointed animadversions, the plaintiff read his petition to the House of Commons, and then produced a very opposite passage from Blackstone's Commentaries on the trial by jury, concluding an able and elaborate speech in nearly the following words:—

"Now, I desire you will reflect what proofs of the debt have been brought before you? An examined copy of the journals of the House of Commons, and the Speaker's certificate, have been produced. But what are you to try and examine? The Speaker's certificate? If the Speaker's certificate is sufficient to take away our property, why should not the Speaker's

certificate be followed by an execution? What occasion is there to call a jury together to try nothing; and yet to make them solemnly swear to try *well and truly*? I ask again, unless it was for the purpose of perjuring a jury, why might not the execution have immediately followed the Speaker's certificate as well as your verdict? Why! There was no reason upon earth but one—it was done to color the transaction. They are not yet quite ripe enough to strip from us at once (and let us know it at the time) our right to a trial by jury. But they have completely done it in effect. They have left us the jury, but taken away the trial!

"They have, by a subterfuge, taken away the trial, which is the important part, and left us the jury, which, without trial, is a mere mockery.

"As men then, as Englishmen, as Christians—or if you have any sense of any other tie or religion, you are compelled to pay a sacred regard to that oath which you have sworn, *that you will well and truly try*, and that your verdict shall only be in consequence of having well and truly tried the merits of the question. Where crime is the question, the jury must judge of the guilt charged, and of its extent; and in actions for

property, they must judge whether any thing is really due, and to what amount; for if the jury are not to try and decide upon the whole merits of the question before them, no man in this country can be safe in life or property forever hereafter. Gentlemen, you are all strangers to me. You ought to be, and I believe you to be twelve good and honest men; and if you are so, and act and do your duty accordingly, I will venture to say that you will sleep this night more happily, and with more satisfaction, than ever you slept in your lives."

Such an impression did this speech make on the jury, although it was, as the lawyers term it, *in the very teeth of an act of parliament*, that they could not agree in their decision while in court, but retired to consider of it; and after an interval of four hours and twenty minutes, returned *a verdict for the plaintiff*.

"Thus ended a cause," according to a periodical work of that time, "which will be equally memorable, on account of the circumstances that gave rise to, and those which accompanied it: a cause, in the course of which, the defendant, in the first common law court in the kingdom, and in the face of the whole world, ac-

cused a judge of the denial of justice; the two great parties in the kingdom of a wretched struggle for the sordid and precarious enjoyment of power, place, and emolument; and a House of Commons of England, of gross and flagrant corruption."

CHAPTER IV.

At the commencement of the revolution in France, a new order of things took place in England as well as in France. In France every member of the state was relaxed and palsied. In England they were perhaps attempted to be stretched to an unusual and unnatural degree of tension; in both "terror" soon became *the order of the day.*

A number of societies at that period existed in England, the end and aim of which were professed to be Parliamentary Reform; a cause, abetted, invigorated and supported by the masculine talents of the very gentleman who at that time held the reins of government, under the title of Chancellor of the Exchequer. These societies now became the objects of ministerial jealousy. Plots being reported to have been hatched by them in order to subvert the executive government,

and extinguish the monarchy; associations for the support of the state were entered into; the *habeas corpus* bill was suspended, and the Tower was actually fortified! In addition to this, warrants were issued with the same profusion as *Lettres de Cachet* had been in France, under the despotic sway of the House of Bourbon; and Mr. TOOKE, among others, was taken prisoner at his house at Wimbleton; his papers were sealed up, and he himself committed a close prisoner.

For delinquents of this description, the ordinary course of law was considered as too slow in its process; and accordingly, on the 10th of September, 1794, a special commission of Oyer and Terminer was issued. On Thursday, October 2, it was opened at the Sessions House, Clerkenwell, in the presence of Sir James Eyre, Knight, Lord Chief Justice of the Common Pleas; Sir Archibald Macdonald, Knight, Chief Baron of the Court of Exchequer, &c. The speech of the former of these judges to the grand jury, on this occasion, has been severely stigmatised, as tending to renew the odious and long since exploded doctrines of *cumulative and constructive treasons*, which criminate by *inuendo*, and would inflict punishments for *implied* guilt.

On Monday, October 6, the grand jury found a *true bill* against all the prisoners except one, (Mr. Thomas Lovett.) On the 13th, the solicitor to the treasury delivered to each of them a copy of the indictment, a list of the jurors impannelled by the sheriff, and of the witnesses to be produced on the part of the crown: on the 24th, they were removed by *habeas corpus* to the Tower: and on the 25th, they were arraigned before Lord Chief Justice Eyre, and severally pleaded *not guilty* to the indictment which charged them:—

1st, With withdrawing their allegiance from the King.

2d, With endeavoring to excite rebellion and war against his majesty, in order to subvert and alter the legislature, and depose his said majesty.

3d, With preparing and composing certain books, resolutions and instructions, and traitorously causing and procuring the same to be published. And

4th, With maliciously and traitorously procuring and providing arms and offensive weapons, *to wit*, guns, muskets, pikes and axes, to levy and wage in-

surrection and rebellion against our said lord the King, &c.

On Monday, November 17, the trial of Mr. HORNE TOOKE came on, and continued during that and the five following days.

Soon after Mr. TOOKE's being brought to the bar, he was allowed to sit near his counsel, in consequence of what he would not term an "indulgence," but a "right." When several of the jury wished to be excused on account of ill health, this excuse was supported by the prisoner, who addressed the bench as follows:—

"I, for my part, hope that no infirm gentleman shall be taken upon this jury; because, I had rather die where I stand, than consent that the jury and the judge should quit this place till the cause is gone through. I do therefore beg, that the jurors may be men in health; that they may not suffer in doing their duty; but that I may be the first victim. The law never intended that the crime of high treason, which ought to lie in the palm of your hand, should take up five days in the proof: therefore I beg your lordship will

be so good as to let me die in this place, rather than that the whole criminal law and practice of this country should be destroyed."

The Solicitor-general, in a speech of *several hours*, endeavored to maintain "the existence of a plot to subvert and alter the legislature, rule, and government of the kingdom, and to depose the King from his royal state, power, and government." A variety of papers were produced; the books of the society for constitutional information were brought forward, and its secretary, and a number of other witnesses were examined at the bar; but nothing was adduced that exhibited even a shadow of either conspiracy or guilt! On the contrary, the innocence of the prisoner became conspicuous, and he himself was so much at ease, notwithstanding a very bad state of health, that he afterwards declared in the presence of the narrator, "if the song which was brought forward on the trial of Mr. Hardy had been produced against him, he was determined to have *sang it;* for," added he, "as there was no treason in the *words*, I should have left it to a jury of my countrymen to have declared, whether there was any in the tune."

Mr. Erskine, in a very able and eloquent speech, asserted it to be the office of the jury to decide, whether the record, *inseparable in its members*, was true or false. "My whole argument has only been, and still is," said he, "that the intention against the King's life is the crime; that its existence is matter of fact and not matter of law; and that it must therefore be collected by you, gentlemen of the jury, instead of being made the abstract result of a legal proposition, from any fact which does not directly embrace and comprehend the intention which constitutes the treason."

The reply, on the part of the Attorney-general, was more remarkable for its *length* than its effect. One memorable circumstance however occurred, for that officer of the crown, who now presides in a much higher department, appears, on this occasion, to have surrendered the long contested point about *royal inviolability*, as he asserted (according to the printed trial of JOHN HORNE TOOKE, taken in short hand, by Joseph Gurney,) "that if the king were to take a different parliament than what the law and constitution of England had given him, *he ought to lose his life; and I trust*," added he "would be willing to lose his life rather than act contrary to his coronation oath."

On this Mr. TOOKE, with his usual readiness, exclaimed, "What! is the Attorney-general talking treason? I should be unhappy to mistake you; (addressing himself to Sir John Scott,) Did you say the king ought to lose his life if he took any other parliament?"

After the merits of the cause had been fairly, fully, and amply canvassed, Mr. TOOKE called a number of respectable persons to testify to his character, both public and private, for a series of years; and the jury, having withdrawn for only *eight minutes*, delivered in a verdict of *not guilty* by their foreman, to the evident satisfaction of the audience, as well as of the populace with which the adjoining streets were crowded.

As soon as a calm had ensued, Mr. TOOKE addressed himself to the court, and observed, "my mind, my lord, is much better formed to feel and to acknowledge kindness than to solicit it; I desire to return my most sincere thanks to your lordship, and to the bench, for the conduct which you have held towards me, during the whole of this tedious trial.

"Gentlemen of the jury, you have afforded a just

protection to my life; I thank you for it; and give me leave to tell you two things, which will increase your satisfaction as long as you live. We both shall have done good to our country. When I have told you two facts, one of which it was impossible I should tell you before, and the other it was unfit that I should tell you before, I am sure we shall never see such a trial as this again. My caution, and my virtue, for at this moment I will place it to myself, are the cause of those suspicions which dwelt upon his lordship's mind: his sagacity and integrity assisted him to clear many things up to you; but the whole suspicion has arisen from this—I was anxious for the proper conduct of other men; and if I could have foreseen, what I never could foresee, till the Attorney-general made his reply.—— Gentlemen, this will help to direct your conduct through life; and it will help other jurymen likewise to restrict this kind of guilt by inference. His lordship did see some part of it, and with great candor, he mentioned it to you. The fact stands thus:—being rarely present at these meetings, when my name appears in the books, I was anxious for the safety of a very honest, but not a very able man. The secretary repeatedly brought to me papers, which the society had received, which were ordered for publication, and

were afterwards put in the newspapers; and when I saw a word which was capable of causing a prosecution for a libel, I took the paper, and with my hand, struck out the exceptionable words, and inserted others which would avoid the danger of a prosecution. Upon this is built all that apprehension and suspicion of the direction, and conduct and originating of societies, with none of whom, nor with any of the individuals of whom, did I ever correspond, or communicate, at all. I know none of these country societies, except as candidate for the city of Westminster. *Every man who came to me, of every opinion whatever, if he asked my opinion, I corrected his works. A gentleman in court wrote a book against me—I corrected the book myself.* I do not mention it to justify myself, because a jury of my country have justified me quickly, clearly, and nobly; but, I mention it for the sake of that law upon which the blood, and the family, and the character of men depend. There never stood a man before your lordship more free from rational foundation of suspicion, upon this ground, than I stand before you. If you examine all the papers—if the Attorney-general will look at them again with this key, he will find it so. If the Solicitor-general had stated in his opening, what the Attorney-general did, when your lordship had

properly closed my mouth, I should have explained it; but I obeyed your direction; and with confidence I trusted my life with that jury. If I had been permitted, I could have explained that which was thought the strongest evidence against me. There was one paper, where the word 'government' was struck out, and 'country' put in. 'Radical reform of the government,' might mean to pull up government by the roots; 'radical reform of the country' could mean no such thing;—no man will be charged with pulling the country up by the roots. The paper was forgotten; I recollected it when it was read. I had not foreseen the nature of the charges and inferences to be used against me, to make me a traitor; it is impossible I could foresee them. To prevent the prosecution of other persons for a libel, I have suffered a prosecution for high treason. I return your lordship thanks; I return my counsel thanks, my noble friend Mr. Erskine, who has been so nobly supported by Mr. Gibbs:—and, you, gentlemen of the jury, I return you my thanks: I am glad I have been prosecuted; and I hope this will make the Attorney-general more cautious in future; he said he would have no treason by construction, and there is no suspicion against me but by construction and inference." (TOOKE was immediately discharged.)

On the dissolution of the parliament in 1796, Mr. TOOKE offered himself once more as a candidate for Westminster.

It might have been supposed, perhaps, that increasing debility, an advanced age, and the misfortunes arising out of a long imprisonment, had abated the spirit, if they had not altered the opinions of the subject of this work. This, however, was not the case, for we find him now apparently more eager than ever to obtain a seat in the House of Commons.

Here, after having polled 2,819 votes, he was again defeated.—He is, however, chargeable with the inconsistency of taking his seat in parliament as member for the decayed borough of Old Sarum, in 1801.

Mr. TOOKE, now in the 65th year of his age, had thus suddenly become a member of the legislature; but it was at a time of life, and under circumstances not altogether consistent, for he had always been ambitious to represent some populous city, such as Westminster, and no one ever felt the force of ridicule, on this occasion, more than himself. His increasing infirmities, too, rendered a constant attendance difficult, if not impos-

sible. In addition to this, Lord Temple, now Marquis of Buckingham, on the very first day that he took his seat, expressed his doubt as to his eligibility, and threatened an inquiry at no distant period.

Notwithstanding this, the member for Old Sarum took an active part in the debates. On the third day (February 19th, 1801,) of his appearance, he supported the late Mr. Sturt in his motion relative to the Terrol expedition, on which occasion he conducted himself with equal temper and ability. "He was astonished," he said, "that ministers should resist an inquiry relative to so gross and palpable a failure, at the very time when the house appeared so ready to sit in judgment on the borough of Old Sarum, and the representative eligibility of an old priest!" He gaily inquired "what kind of contagious malady could be produced by his sitting among those who were pleased to call themselves the Commons of England?" And asked in a jocular strain, "whether a quarantine of more than thirty years was not sufficient to guard against the infection of his original character?"

Shortly after, a motion was made "that the Speaker do issue a warrant to the clerk of the crown, to make

out a new writ for the borough of Old Sarum, in the county of Wiltes, in the room of the Rev. JOHN HORNE TOOKE, who is ineligible, being in priest's orders." This was resisted by that gentleman, in a short address, of which the following is the substance. Mr. TOOKE prefaced his speech, by observing, "that he had but two struggles in his life, before the present, which were in any shape personal. The first was, when he applied for the degree of A. M., which, by the by," he added, "a great dog might obtain, if made to articulate the words, *probo aliter;*" and the second, when a doubting set of the benchers rejected his claim of admission to the bar, without any reference to law or precedent.

In regard to the present question, how it may end, he knew not; but, for the sake of others, he was desirous to maintain his rights; but so far as he himself was concerned, no anxiety prevailed on the score of privileges—for he owed no money! "He then animadverted on the unparliamentary conduct of the committee, in *delegating their delegated powers* to others, to examine old records: the result of the search was, that *clerk* (an epithet applied in those days to any person who could read,) signified a clergyman. He asserted that the committee did not even understand the

Saxon characters; and remarked, that, in quoting *twenty-one cases*, they had made no less than *eleven* mistakes.

The next combated the doctrine, that he could not lay down his function as a priest, which doctrine, he thought, must appear futile, when it was recollected, that there were many canons that dwelt on the disposition of priests: "one of these states," added he, "that if any clergyman attempted to cast out devils unlawfully, such persons should be deposed. Now, for example, Mr. Speaker, if I had attempted to cast the devil out of this house, I must have been deposed, and of course been deemed eligible. But, in this case, my only crime is my innocence; my only guilt, that of not having scandalized my order. I feel myself, sir, exactly in the situation of the girl who applied for reception into the Magdalen. On being asked respecting the particulars of her misfortune, she answered, she was innocent as the child unborn; the reply was, "This is a place only for the creatures of *prostitution*, you must go and qualify yourself before you can be admitted."

After a few words from Mr. Fox and Mr. Erskine, in opposition to the motion, Mr. Addington, who had

just been appointed Chancellor of the Exchequer, most unexpectedly arose and moved the *previous question*, which put an end to discussion for the present. But on the 6th of May, the new premier brought in a bill "to remove all doubts relative to the eligibility of persons in holy orders to sit in the Commons' House of Parliament."

The bill was passed, and carried up to the House of Lords in the usual manner. There it met with but little opposition, except from Lord Thurlow. That nobleman, now in the decline of life, and fast verging towards the grave, determined, on this occasion, to make up for his former enmity against a gentleman, whose talents and genius had at length acquired his esteem. He accordingly rose in his place, and strenuously advocated his cause. He hoped that ministers were not actuated, on this occasion "by personal antipathies;" and ridiculed the idea of "legislating against a single individual." His lordship, at the same time, contended, that he must be a man of no common abilities, who was thus about to be prescribed by a new and extraordinary statute; but he hoped that the house, which he then addressed, would not give its countenance to a proceeding, equally unsanctioned by principle and by precedent.

Notwithstanding this, the bill was carried through all its stages, without any further opposition, and, in the course of a few days, received the royal assent.

By that new law, Mr. TOOKE was, however, permitted to retain his station until the dissolution, which ensued soon after. Being then disfranchised and precluded from sitting in the House of Commons, by an express act of the legislature, which, without naming, was obviously aimed at the exclusion of him alone, he retired once more to a private station. This was in some measure rendered necessary by his increasing years and disabilities; by his distaste for the situation he had occupied; and, above all, by his uniform attachment to a country life.

Thenceforth, he confined himself almost entirely to his house and his gardens, and in the peaceful shades of Wimbleton, cultivated literature and friendship. There, too, by his attention to rural affairs, he seemed to soothe the approaches, and assuage the proxysms of disease. Life, for the first time, perhaps, since his childhood, now flowed on in one smooth undeviating current, varied only by occasional study, and the interchange of good offices with his neighbors and

acquaintance. He still, however, retained all his faculties unimpaired. His masculine mind yet continued to dictate to all who chose to consult him, and his responses were usually received, like those of the oracles of old, with implicit deference. The habitual influence exercised over those who associated with him, indicated his customary energy, and at once evinced a predominant genius, fitted by nature for command, and accustomed to be uniformly obeyed.

At the general election, he published the following advertisement:—

"TO THE ELECTORS OF WESTMINSTER.

"*Wimbledon, June* 26, 1802.

"Gentlemen—It has lately, for the first time, been "discovered, that something (I know not what) myste- "rious, miraculous and supernatural, was operated "upon me nearly half a century ago, in this protestant "country, which has divested me, at the close of my "life, of the common rights of a man, and a citizen. I "am thus prevented, by a miracle, from keeping my "word, and offering to you again my services in parlia- "ment. This, however, I regret the less, because, from

"what I have seen, I am perfectly satisfied, that (consti-
"tuted as that assembly at present is,) nothing short of
"another miracle could possibly enable me to render
"any service there.

"At 66, when time and infirmity had already dis-
"qualified me for any considerable exertion, exclu-
"sion from that parliament, (of which Mr. Christopher
"Atkinson was at that time an undisputed and welcome
"member) by an act of the legislature, made upon the
"spur of the occasion, against an individual. I accept
"as a singular compliment to the persevering endea-
"vors of my past life, and, in times like these, as a most
"honorable conclusion. At the same time, I acknow-
"ledge it to be an act of mercy in my old electioneering
"comrade, the present Chancellor of the Exchequer,
"(Lord Sidmouth,) who brought in the bill; for if,
"instead of this exclusion, he had proposed to hang
"me immediately in the lobby, he, or any other Chan-
"cellor of the Exchequer, would have been followed
"by the same majority.

"I return you, gentlemen, my sincere thanks for the
"honorable support you afforded me at the two last
"elections, which, under the circumstances, far exceed-

"ed my expectations, and for the noble support you "had prepared for me on the present occasion. I shall "continue, during the short remainder of my life, most "steadily attached to the ancient freedom of my coun- "try, (as it was practically enjoyed under those honest "old gentlemen, George I. and II.) and your grateful "servant.

"JOHN HORNE TOOKE."

Having published by subscription, a second edition in *quarto*, of his "Diversions of Purley," a second part, in *quarto*, appeared in 1805, in which he chiefly adverted to etymology, and to adjectives and participles, and their formation, intermixing satirical strictures upon some literary and political characters of note. From this time his bodily infirmities, occasioned by a disorder to which he had been long subject, increased, though he retained his faculties in full vigor, and continued to enjoy life. His temper was little affected by mental or physical evil, and "no one more strenuously maintained," says one of his biographers, "the balance of good in human existence." "His latter days," says the same writer, "were cheered by easy circumstances, and the attention of many friends, whom he entertained with great hospitality, and amus-

ed by his conversation, which was singularly pleasant and lively. With an unaltered brow he could be either facetious or sarcastic, and his features seldom disclosed what was passing within. His manners were polished, and his appearance was that of a gentleman of the old school." His life, at length, terminated by tedious and continued decay, in March, 1812, in the 77th year of his age. As he was never married, his property was bequeathed to his relatives.

Of JOHN HORNE TOOKE it may truly and emphatically be said, that on his demise there set the brightest sun that ever illumined the hemisphere of English literature.

CHAPTER V.

In perusing carefully the life of Tooke, as thus collected and collated, can any one fail to be struck with the remarkable coincidence of every particular, with the peculiarities which are claimed for *Junius*.— He was an "Englishman of highly cultivated education, deeply versed in the language, laws, constitution, and history of his native country." Few men have ever attained a higher reputation among their cotemporaries, for skill in language, variety of knowledge, high talents, and peculiar familiarity with the great constitutional questions which then agitated the country. His means were, during that period, far above his wants, and his munificence to individuals, with his large contributions to the public cause, are upon record.

He had attained the age of 31, and having twice made the tour of the continent, might have reason to

speak, without presumption, of his own experience of the world.

In the early part of 1767, he returned from the continent, and resided in the vicinity of London during the years mentioned, devoting a very large portion of his time to politics, and writing for the Newspapers.

He was impetuous in his disposition, but capable of, and exercising great self command—subject to strong political bias, and personal animosities—" possessed of a high independant spirit—honestly attached to the principles of the constitution, and fearless and indefatigable in maintaining them—that he was strict in his attention to public decorum—an avowed member of the established church, and though acquainted with English judicature, not a lawyer by profession.

If the author of the preliminary essay had been discussing the life and character of JOHN HORNE TOOKE, instead of recapitulating the traits which had been discovered to belong to the unknown *Junius*, he could not have struck off a more correct general outline. This is strong in favor of our hypothesis, because, proceeding from a disinterested enquirer, without refer-

ence to any particular person, and in a discussion in which the name of TOOKE was not suggested.

This argument, upon the general character of TOOKE, will be further strengthened by a reference to the manner in which the Quarterly Review, the most able and powerful opponent of the system which Mr. TOOKE supported so zealously, speaks of his life and character, allowing something for the remains of old resentments; something for their increased antipathy to the Whig party, which makes it rather problematical, (with all due respect for the goodness of their intentions) whether they could deal impartially with the man, whom they pronounce the chief support of that party.

It adds great weight to the general argument of probability, and records their testimony to his undoubted capacity for the task.

"In considering his political career, the most material circumstance, that, which is most necessary to keep steadily in view, in order to form a correct and candid estimate of his character, is, that he was from beginning to end, a man laboring under great, per-

petual, irremoveable, civil disabilities. He had been unfortunate (we say so without fear of being misinterpreted) in his choice of a profession; for it is a real misfortune to a man of an enterprising disposition, *natus rebus agendis*, to become a member of an order, in which propriety and duty enjoin a sparing and partial interference with the concerns of the world; and in which, if propriety and duty are found too feeble restraints, the law interposes with a strong arm, to curb profane activity and unprofessional exertions. What a man *ought* to do under such circumstances is obvious —but such is the weakness of human nature, that what he ought to do is, we are afraid, not what he is always likely to do—certainly the very reverse of what Mr. TOOKE did do. In fact, his whole life seems to have been spent in an unavailing and ungraceful struggle to extricate himself from the restraints which his situation imposed upon him. He was forever beating himself against the bars of his cage; and such is the power of passion over reason, that neither the exercise of his penetrating and vigorous understanding, nor the experience of constant failures, were sufficient to prevent him from wasting his strength, in an idle endeavor to pass the magic circle which law and custom had drawn around him. Hence, all his exertions wanted both

dignity and effect; and his extraordinary talents were productive of little true glory to himself, and scarcely of any benefit to the world.

Mr. TOOKE was born with an iron constitution of body and mind; he was endowed with persevering industry, armed with unshaken courage, and stimulated by a restless ambition. These qualities should carry their possessor very far in a free country; but the barrier was insurmountable. Gifted with the talents of a great performer, he was compelled throughout to play inferior parts. As a politician, he was always below himself; always acting in subordination to his equals, or on a level with those whom nature and education had placed at an immeasurable distance beneath him. He began his career as an assistant in a struggle, from which the mock patriot Wilkes, derived all the glory and all the advantage; and he ended it by dividing the credit of turbulent, unsuccessful, and unpopular resistance to sound principles, and lawful authority with Messrs. Hardy and Thelwell. He could not be a lawyer, therefore he resisted the law, and reviled those who administered it. He could not be a statesman, nay, not even a demagogue, and therefore he was content to become a factious partisan, a low agitator,

to insult those whom he could not rival, and to disturb a country, in the government of which, he never could have a share. Disappointment and envy had taken possession of his whole soul, soured his temper, narrowed his views, and perverted his judgment. It was his habit to speak evil of dignities, to assail by ridicule or invective, all those persons and things, which, by the common feeling of the rest of the world, were marked out as objects of reverence and admiration. He professed, indeed, to admire the constitution of his country; but it was the constitution as it was said to exist at some remote, and never defined period; not the constitution such as it now is, under which, according to him, every species of corruption and injustice had grown up and flourished; and he delighted to carp at that beneficent system of law, to which of all men living, he was the most deeply indebted. The mild spirit and lenient administration of English justice were never more clearly exemplified than in the impunity of a man who was constantly treading upon the very verge of crimes, that aimed at nothing less than the entire ruin of the state; and whose delight it was to insult the best feelings of the country at a time of universal danger, alarm, and irritation. The same temper of mind rendered him unjust to almost every

species of excellence in his contemporaries. Among the objects of his particular and personal antipathy, are to be numbered nearly all the great men of his age and country. He hated Doctor Johnson, he hated Mr. Burke, he hated Lord Mansfield, he hated Mr. Pitt, he hated Mr. Fox, and he spoke of them without any of that respect or forbearance which great talents, and high station, and the esteem of the greatest part of the world, generally extort from less resolute or less acrimonious adversaries.

The Ishmael of literature and politics, his hand was against every mans' hand, and every mans' hand was against him. *Oderint dum metuant* seems to have been his motto: and provided he could excite surprise by his paradoxes, and terror by his abuse, he cared little for public esteem, and looked to no more important or more salutary effect. His writings and speeches are all composed in a confident accusatory tone. It is not enough for him to show that his adversaries must be wrong, but he is equally determined to prove that they must be dishonest. Dissent from his opinion was not mere intellectual weakness, but moral guilt. No man ever more resolutely threw away the scabbard in every attack. He seems to have consi-

dered the then order of things as one in which he could find no proper place; and he therefore consoled himself by waging irreconcilable war against all those by whom it was upheld. He does not appear to have acted upon any particular system, or to have directed his efforts towards any particular objects.

In fact, the occasions which allowed much active interference on his part, but seldom occurred. A popular election, conducted with circumstances of extreme party violence, or a society formed to alter the constitution, or control the government, were his chief opportunities for distinction, and upon these he seized with great eagerness, and availed himself of them with great ability. But these brilliant moments soon passed away: the election was decided, or the society was suppressed, and he was condemned to pass through a long interval of quiet obscurity.

One of his earliest, strongest, and most enduring feelings, was antipathy to the House of Commons. But like most other innovators, he seems to have thought that there was no harm in taking advantage of the present system so long as it lasted. Old Sarum, that standing insult to the theory of representation; that

bye-word among the reformers, had the singular honor of returning the Rev. Mr. TOOKE to parliament, who took his seat (apparently) without any scruple as to the number or quality of his constituents; nor does his dislike to the present order of things appear to have reached its utmost height, till the doors of the house had been finally barred against him by an act of the legislature.

We are aware that the character we have been drawing, so far as we have hitherto proceeded in the delineation, is not particularly calculated to excite affection or respect; yet we own that we are much more inclined to regard this waste of his talents, and this perversion of his feelings, with regret and compassion, than with severity and anger. There is nothing that has so unfavorable an effect upon the heart and the understanding; nothing that so completely sours the milk of human kindness, as long disappointment, and immoveable restraint. By a step taken so early in life, that he was excusable at least if he did not at once perceive all its consequences; he was debarred from the fair exercise of those talents with which he was most highly gifted, and cut off from the attainment of those objects of which he was naturally most desi-

rous. We all know the vast share accident has in forming the greatest, the wisest, and most virtuous men; and we shall not do justice to the character of Mr. TOOKE, if we blame him for what he was, without considering what, under more propitious circumstances, he might have been. He was, as we have already had occasion to remark, the enemy of almost all the eminent men of his time. But if his fetters had been struck off, if he had been suffered to come down into the arena, and contend with them upon equal terms, a malignant and impotent hostility might have given place to manly emulation and generous rivalry.

Let us not, however, be misunderstood as meaning to approve the conduct of those, who, having once engaged in a profession, in which the best faculties of man may be employed to the best purpose, instead of bending their minds to the accomplishment of its important duties, waste their days in unbecoming endeavours to mix in struggles which they ought to shun, and in unavailing aspirations, after a greatness which they have renounced. We have only ventured to offer an imperfect excuse, arising from the general weakness of the human character, and to plead, as it were, in mitigation of that heavy censure, which must, at any rate,

fall upon talents idly wasted, or mischievously misapplied. The most finished specimen of his composition is probably to be found in the two or three letters written in answer to the attacks of *Junius:* and he had the honor, which, in those days, was deemed no inconsiderable one, of being the only knight that returned with his lance unbroken from a combat with that unknown, but terrible champion. If he wants the exquisite polish, and the brilliant invective of his adversary, that dexterous malignity which comes in with such effect to blacken a character by insinuation, after invective has exhausted its powers, and above all, that well sustained tone of austere dignity, which gives to *Junius* the air and authority of a great personage in disguise, he is superior to him in facility, vivacity, and that appearance of plainness and sincerity, which is of such importance in controversial writings. The great fault of *Junius* is a sort of stifness and appearance of labor. His compositions smell too much of the lamp. He wanted nothing to be a perfect master of his art, but the power of concealing it. Mr. TOOKE'S letters have the flow, unity, and simplicity which belong to writings struck off at a heat, and which depend for their effect, rather upon the general powers of the

writer, than upon great nicety and labor in the particular instance.

In justice to *Junius*, as a writer, we must add, that he was laboring under the disadvantages of a weak case. It is evident that he was early and deeply sensible of his own mistake; and he was therefore glad to put an end to the contest as soon as possible, even at the price of leaving his adversary in possession of the field; a humiliation to which he would not have submitted, but from the conscientiousness of his having originally selected an unfavorable ground.

In speaking of Mr. TOOKE'S intellectual character, we have hitherto omitted to notice one of its most striking features, the love of paradox; a disposition which, though the natural companion of subtlety and ingenuity, was, we believe, never found combined with true greatness of mind. To add to the difficulty of a proposition by a quaint, unusual method of enunciating it; to display a vain dexterity in defence of an acknowledged error; to dress up truth in a strange masquerade garb, in hopes that somebody will mistake her for falsehood—these are frivolous, childish amusements,

and indicative of an unsound, or ill-regulated understanding. No man that possessed the reasoning power in its full perfection, was ever willing to waste it in drawing a stare from ignorance and vulgarity: On the contrary, those who have contributed most to enlarge the bounds of human knowledge, by the discovery of new and important truths, have almost always been anxious to place them in that point of view in which they would give the least possible alarm, and win their way to a general acceptance with the least possible opposition, from the common prejudices and feelings of the world. But truth and error, *as such*, were almost indifferent to Mr. TOOKE. He was more a sophist than a philosopher, and was always most inclined to maintain that proposition, whatever it might be, that afforded him the best opportunity of exhibiting to advantage his argumentative acuteness and skill. He was a sort of intellectual juggler; and provided he could keep the multitude gaping at the dexterity with which he handled his cup and balls, he cared very little what further effect the spectacle might have upon their mind.

Mr. TOOKE was possessed of considerable learning, as indeed his writings sufficiently show. To other

more casual acquirements, he united a very extensive acquaintance with the Gothic dialects, of which he has so copiously and so judiciously availed himself in his etymological researches; and it seems probable, that the leading ideas of his philosophical work, first presented themselves to his mind whilst he was pursuing this comparatively unfrequented track of literature. He was extremely well versed in the law; a science which both in theory and practice, was particularly congenial to his mind, and which he had once studied with professional accuracy, in the hope of being called to the bar. We are unable to state, with precision, what was the amount of his attainments in classical learning, but we apprehend he by no means possessed that accurate acquaintance with the literature of ancient Greece and Rome, which is necessary to constitute a great scholar in the ordinary acceptation of the term. He was familiar with all our best writers, most so with those of an early date. His knowledge of modern languages was considerable, and he was particularly well read in Italian authors. On the whole, exclusively of philosophy and politics, he would have passed for a very accomplished man.

One of the taxes which men pay for being eminent,

is to have their private, as well as their public conduct, made the subject of criticism; we shall therefore offer no apology for adding a few such remarks as our information enables us to supply upon that of Mr. TOOKE. In the essential particulars of truth, honor, and justice, in all that, in a popular sense, forms the morality of a gentleman; he stood, we believe, unimpeached—at least no charge against him for the violation of it was ever substantiated, although he lived for half a century exposed to the public eye, and beset by the vigilant hostility of active and powerful enemies. His great fault, as a private man, was a libertinism in his habits and discourse, which ill became his character, his profession, and latterly, his age. It may seem an uncharitable suspicion, but we are really afraid that the tendency of which we complain, was rather increased than checked by the profession, to which, however unwillingly, he belonged. He had a sort of spite at all its restraints. Many of them he never could throw off: but he was anxious to show that in licentiousness, at least, he could be a layman.

In the ordinary intercourse of life, he was kind, friendly, and hospitable. We doubt whether his temper was naturally good; but if it was not, he had

a merit the more; for he had so completely subdued it by care and self-control, as never to betray, under any provocation, the slightest mark of that irritability which often accompanies talent, and which gains so rapidly upon those who know not how to guard against its approaches. Indeed, the aspect under which he appeared in private, was by no means such as the stern cynicism and ferocious turbulence of his public conduct would have led one to expect; and those, whose opinion of him has been formed exclusively upon his political character and his writings, will have some difficulty in believing that the curate of Brentford was one of the best bred gentlemen of the age. In this respect, he was a sort of phenomenon. He was born in a low station: at no period did he appear to have possessed any remarkable advantages for the study of good breeding: on the contrary, the greater part of his life was spent in constant intercourse with coarse, vulgar, and uneducated men. Yet his natural taste was so good, and he had profited so judiciously by whatever opportunities he enjoyed, that courts and high stations have seldom produced a better example of polite and elegant behaviour, than was exhibited by the associate of Messrs. Hardy and Thelwell. Indeed, his manner had almost every excellence that manner

can display—grace, vivacity, frankness, dignity. Perhaps, indeed, in its outward forms, and in that which is purely conventional, his courtesy wore the air of the '*vieille cour*,' and was rather more elaborate than is consistent with the practice of this lounging unceremonious age, but it was never forced or constrained, and it sat not ungracefully upon an old man.

CHAPTER VI.

It has been remarked of some very eminent men, that either from bashfulness, or pride, or indifference, or want of ready command of their faculties, their conversation frequently disappointed the expectations which their character had raised. Mr. Tooke was not of that class. He never appeared to greater advantage than in conversation. He was naturally of a social and convivial turn. His animal spirits were strong—the promptitude of his understanding was equal to its vigor, and he was by no means too proud to receive, with satisfaction, the small, but immediate reward of approbation and good will, which is always cheerfully paid to the display of agreeable qualities in society. A long, attentive, and acute observation of the world had furnished him with a vast store of information and remark, which he was always ready to communicate, but never desirous to obtrude upon his hearers. The events of his political life had brought

him into personal intercourse with many of the most considerable men of his time, and he was minutely acquainted with the history of them all. It is true, indeed, as we have already had occasion to observe, that few of the number had the fortune to be the objects of his regard or approbation; and as candor was not a virtue he much affected, it was therefore necessary to receive his account of their actions and character with all imaginable caution and allowance.

But if he was not a faithful portrait painter, he was at least an admirable caricaturist, which, for the purposes of mere entertainment, did quite as well: and it must be owned that his representations, though harsh and unfavorable, always bore a striking and amusing resemblance to the originals. Viewed alone, they would have conveyed a very erroneous idea; but they were by no means without their use in correcting the impressions which had been made by more friendly, but equally unfaithful artists. He possessed an inexhaustible fund of anecdotes, which he introduced with great skill, and related with neatness, grace, rapidity and pleasantry. He had a quick sense of the ridiculous, and was a great master of the whole art of raillery: a dangerous talent, though the exercise of it in his

hands, was always tempered by politeness and good humour. No man, we believe, ever provoked him by hostile attack, without having reason to repent his rashness. He was possessed of all the means that could make retort terrible;—ready poignant wit, perfect composure and self-command, boldness, confirmed by the habit of victory, in that species of combat, and a heartfelt bitterness, which, when he was once emancipated by the indiscretion of his adversary, from those restraints which good breeding imposed, poured itself forth in a torrent of keen, unsparing, irresistible invective. But these severe chastisements were but rarely inflicted; never, we believe, except when provoked by some signal instance of folly or impertinence in his opponent.

His fault, as a companion, was that love of *paradox* which we have already mentioned, and a tendency to disputation, which led him continually to argue for the mere sake of victory, and in evident contradiction to his own real opinion; a practice quite insufferable when adopted, as it often is, by persons of ordinary understanding, and who only flatter themselves that they possess the acuteness with which Mr. TOOKE was really endowed, and to which, we must own, that

even his liveliness, native ingenuity, and felicity of illustration, could never wholly reconcile us.

He possessed a rich vein of humour, sometimes coarse, but always striking, comic, and original. His speeches afforded some good specimens of it to the public, and he indulged in it still more freely in private. Perhaps, indeed, it may be fairly objected to him, that his conversation was hardly ever quite serious; and that, what with paradox, and what with irony, it was not easy to get at his true meaning. The truth seems to be, that he comforted himself for not having a larger share in the business of the world, by laughing at every body and every thing it contained. His sceptical disposition probably kept his mind unsettled upon many important facts, as to which, the generality of men entertain more fixed opinions, and he was therefore ready to espouse either side with equal zeal and equal insincerity, just as accident or caprice inclined him at the moment.

There were other subjects on which he was accustomed to speak more positively, but on which we are apt to suspect that his *exoteric* doctrines were very different from those which he taught to aldermen, shoe-

makers, and other patriotic persons. On such occasions, he could not have been in earnest. He must have seen through the designs of those with whom he was acting—he must have loathed their vulgarity—he must have despised their folly. We are aware how severe a censure upon his honesty this opinion implies, but we really think that a fair estimate of the strength of his understanding can lead to no other conclusion.

He was endowed with every species of courage, active and passive, personal and political. Even his adversaries allowed him this merit. We recollect, that, in the year 1794, at the time of the State Trials, when it was falsely reported, that upon being committed to the Tower, his spirit had failed, and he had burst into tears; Wilkes expressed great surprise, and said, 'I knew he was a knave, but I never thought him a coward.' It is only to be regretted that he found no better opportunities for the display of so valuable a quality, than in election riots, and trials for sedition and treason.

In spite of labor and dissipation, his life was protracted to a period which indicated an originally sound and vigorous frame. For the last twenty years,

however, he was subject to several severe, distressing, and incurable infirmities; these he bore with a patience and firmness which it was impossible not to admire: to the very last he never suffered himself to be bent down by them, nor ever for one moment indulged in complaint, or gave way to despondency. In the intervals of pain, nay, even when actually suffering under it, he preserved a self-command, which enabled him to converse not only with spirit and vigor, but with all his accustomed cheerfulness and pleasantry; never making any demand upon the sympathy of his friends, or mentioning his own situation at all, except when occasionally, and by a very pardonable exercise of his sophistry, he amused himself in exalting its comforts, and explaining away its disadvantages; displaying in this respect a manly spirit, and a practical philosophy, which, if they had been brought to bear upon his moral, as well as upon his physical condition, if they had been employed with as much effect in reconciling him to his political exclusion as to his bodily sufferings, might have produced, not the very imperfect character we have been attempting to delineate, in which the unfavorable traits bear so large a proportion to those of a nobler and more benign cast, but the venerable portrait of a truly wise and virtuous man.

Such is the character given of Mr. TOOKE by the editors of the Quarterly Review. This periodical has been long known as the ministerial paper.—The organ and mouth-piece of the high Tory party of England.

It will be seen, upon examination, that every trait of character which is stated by them to belong peculiarly to HORNE TOOKE, is equally applicable to *Junius*, and form an identity of character between them.

The skill of *Junius* in composition—of his power of sarcasm—his strong personalities—his vehemence against those whom he considered public delinquents —his confidence and assured reliance upon his own intellectual resources—his contempt of his opponents —of his hatred of certain great men—are all as clearly described of HORNE TOOKE, as though the writer had had the intention of drawing a perfect parallel.

As a further corroboration of this general argument of probability, as drawn from the parallel characters of TOOKE and *Junius*, we will produce the evidence of a person, who in this matter, at least, should be considered a competent witness. This shall be the testimony of Sir Philip Francis, given on the trial of Mr. TOOKE,

for high treason, in the year 1794, and it is doubly important, inasmuch as it goes totally to destroy Sir Philip Francis' claims, while, at the same time, it is "confirmation strong as holy writ," in favor of JOHN HORNE TOOKE.

STATE TRIALS, *Vol.* 25, *pages* 371, 372.

Philip Francis, Esq. (afterwards Sir Philip Francis, K. B.,) *sworn*——Examined by Mr. Erskine—You are a member of the society called the Friends of the People? I am.

I believe you took the trouble to draw up the plan of reform to be submitted to that society? I did.

Have you that plan here? Not in court.

After you had prepared that plan of a reform in the House of Commons, and submitted it to the consideration of this voluntary society, of which we are both members, do you remember seeing Mr. TOOKE? Yes.

How long ago? In the course of the summer of 1793.

Upon what occasion was it that you saw Mr. TOOKE? Though I had not the honor or the pleasure of an intimacy with Mr. TOOKE, I had known him long slightly, and even of that slight acquaintance, there were many intervals in which I never saw him. Upon the occasion of my having drawn up the plan, to which a former question alludes, I met Mr. TOOKE by accident, in my road to town, (he lives near me in the country,) knowing, or believing him to be at all times a strenuous advocate for a reform of the House of Commons, *and knowing him to have been one of the most learned men in the kingdom*, particularly with respect to the points to which that plan had reference, namely, *the antiquities*, *the history and constitution* of this country, I thought I could not do a better thing for the object which I had in view, or any thing more expedient for my own instruction, than to ask the favor of him, which I did, to examine this plan particularly; to inform me if any of the references, or any of the authorities, or any of the laws and customs to which the plan alludes, were misstated, as likely they might be, by a person so little informed, or much less in-

formed upon these subjects; that he would have the goodness to examine it attentively. I did not desire to discuss the principles of it with him at all, but merely that he would be so good as to examine it with respect to authorities and references, and upon this, to inform me if I had incorrectly stated any thing: he said he would undertake to do that for me, and that he would make some observations upon it, in consequence of which, I called upon him three or four times at his house at Wimbledon, and I availed myself of the information he gave me, and corrected my plan in some particulars.

Philip Francis, Esq. examined by Mr. TOOKE.

You have been asked whether you discussed with me the plan which you had proposed for a reform in parliament. You answered, I think, you had not discussed it with me. Will your recollection lead you to say that we did not discuss that plan together? I stated, that, in applying to Mr. TOOKE for *his assistance*, it was not with a view to discuss the principle, for, upon that my mind was formed, but to receive *information and correction*, if I had misstated any thing respecting the authorities and references.

Lord Chief Justice Eyre.——The question Mr. HORNE TOOKE puts to you now is, whether, in fact, in the course of your conversations, you did enter into any discussion of the plan with him? It is very likely we might.

Mr. TOOKE—does your recollection carry you far enough to know whether, in the course of the summer of 1793, you visited me once, twice, thrice, or oftener? I cannot be positive to the number of times; it was convenient to me, in that part of the country, to call upon Mr. TOOKE; it might be four or five times, perhaps, in the course of the summer or autumn.

Might it not be five or six times? It might.

Now, upon this evidence, several arguments arise, which are of consequence to this investigation.

The first and most obvious, is the unqualified admission by Sir Philip Francis of Mr. TOOKE'S superior learning and ability. He speaks of him as a man universally acknowledged to be one of the most learn-

ed men in the kingdom in "the antiquities, history and constitution of the country," and with this opinion, admits he applied to him to revise, correct, and suggest alterations in the plan of parliamentary reform, which he (Sir Philip) had drawn up. There cannot, in my opinion, be a more decisive internal argument than this against Sir Philips' identity with *Junius*, nor a more strong presumptive evidence of the superior claims of Mr. TOOKE. Is it not infinitely more probable that *Junius* was the man applied to, to correct and modify a plan of reform, than that he should ask advice and assistance from another?

Twenty years before, *Junius* had submitted a plan for reform to the "supporters of the Bill of Rights," which plan coincides with the views of Mr. TOOKE. Is it then within the probabilities of human action, that Sir Philip, upon the supposition that he was *Junius*, should have needed the assistance of one comparatively unknown to him, to modify a plan, which had for twenty years been the subject of his own labors and reflection? And on the other hand, is it not a more rational and natural conclusion to prefer between these two men, that man to whom the application was made

for assistance, who had established such a character for learning, as to be pronounced one of the ablest men in the kingdom?

Him, who has vindicated his claims to sufficient ability, to have been the writer twenty years before, to the man who comes after the lapse of twenty years, for assistance on that very subject?

The next observation arises upon the admission of Sir Philip Francis, that Mr. TOOKE's views of parliamentary reform coincided with his own.

Now, as Mr. Taylor has very elaborately and ingeniously proved, that the opinions of Sir Philip and *Junius* coincided, I cannot but infer upon the axiom, that things that are equal to the same thing, are equal to one another. That this argument is as strong for Mr. TOOKE as for Mr. Francis, and shall therefore, without further labor, take it henceforth for granted, (what I have found upon examination, and learn from Mr. Taylor and Sir Philip) that in the constitutional principles of Mr. TOOKE and *Junius*, there is no discrepancy.

CHAPTER VII.

It seems hazardous to assert, but it is nevertheless true, that one of the circumstances which makes it difficult to prove that Horne was *Junius*, does (when added to other circumstances) strengthen the probability. This circumstance is the fewness of his avowed productions, and the scantiness of our means of comparison. His philological work, "The Diversions of Purley," and a few of his speeches, reported by others, and unauthentic in form; and his correspondence with Wilkes and *Junius*, form nearly the whole of his acknowledged writings. From grammatical discussions, and meager reports, little aid could be expected, on an analytical comparison of style; especially styles so apparently different, as the free, open, and off-hand manner of Mr. Horne, and the studiously disguised and labored style of *Junius*.

It is not probable that *Junius* was either an author

by profession, or in the habit of writing books or pamphlets, to any extent. This holds true, both of anonymous and acknowledged compositions; for a number of publications, bearing the same extraordinary tone of mind, and cogency of argument, with or without the author's name, would infallibly have been traced to the same pen, and would each form another link in the chain of evidence, by which the author was to be reached. Had *Junius*, therefore, been an author by habit, and had published openly, other, perhaps harmless works, without the same motive for mystery, he would have been discovered and identified beyond doubt.

This argument directly impugns the claims of most of the candidates, whose preliminaries have hitherto been considered probable; especially those of Burke, and Sir Philip Francis, while it strengthens those of HORNE. From the few productions of Mr. HORNE, which have survived the temporary interest of party politics, I shall produce some passages which favor his claim.

In an anonymous pamphlet, which he published in 1765, there is much of the personality of *Junius;* much of his bitter sarcasm and blackening insinuation, added to

the same fierceness of invective. It is also remarkable, as evincing the same dislike to the Scotch, which *Junius* afterwards so singularly avowed. It is directed against the earls Bute and Mansfield, and dedicated "to the right honorable, truly noble, and truly Scottish lords, Mortimer and Jefferies;"—entitled, "The petition of an Englishman;" with which are given a copper-plate of the Croix of St. Pillory, and a true and accurate plan of a part of Kew Gardens. Thus boldly he addresses the King.—"And since, by you, the English name is now melted down to Briton, and liberty wrested from our hands, it is with great propriety, trusted to the keeping of Scotch justices and court boroughs. Leave us not naked of every honorable distinction. Give us this badge, in lieu of what you have taken from us, that we afford a striking proof to some future Montesquieu, how true it is, that the spirit of liberty may survive the constitution."

"For your lordships, (Bute and Mansfield) no doubt have somewhere read, that truth, if it is a virtue, is a virtue like the plague; having too often the quality of making us generally shunned and avoided. Wisely, therefore, do your lordships, to prevent spreading the

infection, send it to perform quarantine in the King's Bench."

"You have a precedent in Cade, and for the justification of any infamous and dirty business, it is at present sufficient, that there is a precedent; even I, my countrymen, who now address myself to you: I, who am at present blessed with peace, with happiness and independence, a fair character, and an easy fortune, am, at this moment, forfeiting them all."

This pamphlet had the singular good fortune to escape prosecution as a libel, though some parts of it are quite as severe and offensive as *Junius*' subsequent letter to the king.

In the next year, (1766,) Mr. HORNE wrote that notorious letter to Mr. Wilkes—the indiscretion of which, with Mr. Wilkes' unpardonable breach of faith, afterwards brought so many reproaches upon him. One of the paragraphs has the very manner of *Junius*, and another shows the singular readiness with which, even at this early period, Mr. HORNE became acquainted with the secrets of government. I quote them both:—

"You are now entering into a correspondence with *a parson*—and I am greatly apprehensive lest that title should disgust; but give me leave to assure you, I am not ordained a hypocrite. It is true, I have suffered the infectious hand of a Bishop to be waved over me, whose imposition, like the Sop given to Judas, is only a signal for the devil to enter."

"I have this moment seen a letter from England, that tells me that Fitzherbert has sent you a power to draw on him for the amouut of £1000 a-year."

The last extract is singular, for it shows how accurate was Mr. HORNE'S intelligence, at that distance, of circumstances which were absolute mysterious to the uninitiated at home. This negociation of Mr. Wilkes with the Rockingham administration, was true in all the particulars, and the sum of £1000 a-year was raised by contribution from the salaries of those in place. This fact also accords with the extraordinary means of information afterwards possessed by *Junius*. In addition to his after connection with the leading politicians of the day, a clue to Mr. HORNES' means of court information, may be discovered in the follow-

ing circumstance, narrated by Mr. Stephens, Vol. 2, page 229 :—

" This election, during which the poll continued open for a fortnight, cost the other candidates a very large sum of money. And it proved also expensive on the part of Mr. HORNE TOOKE, who spent nearly a thousand pounds on the occasion; however, the charge was not borne by him, for he has assured me frequently, that the money had been previously presented to him by a man of considerable rank; who, as well as his family, was apparently well received at court, where he proved a constant attendant."

Who this nobleman was we are not informed, but it is a fair inference, that he was (for he well might have been) a source of court information to Mr. HORNE.

Mr. HORNE was, in the year 1769, as I have mentioned in his memoirs, involved in a legal controversy with Mr. Onslow, in consequence of the following letter, which we insert, for its extraordinary resemblance to *Junius*.

STEPHENS, *Vol.* 1, *p.* 128.

TO THE RIGHT HON. GEORGE ONSLOW.

Good Sir,

"IF, with another *innocent* man, Lord Holland, you too, were ambitious to add to the list of Mr. Walpole's right honorable authors, you might, like him, have exposed yourself with more temper, and have called names in better English.

"I should be sorry to libel you by mistaking your meaning, but the strange manner of wording your first sentence leaves me at a loss to know whether you intend that my letter, or —— your own character 'is a gross and infamous lie from beginning to end.'

You may save yourself the expense of taking 'the best advice in the law.' Depend upon it, you can never 'hope to make an example of the author, when the publisher is unable or unwilling to give up his name.' And you need not wait for a jury to determine, that 'robbing a man is certainly a robbery.' But you should have considered, some months since,

that it is the same thing whether the man be guilty or innocent; and whether he be robbed of his reputation or ——— of his seat in parliament.

"In the Public Advertiser of Friday, July 14, there is a letter *from* you as well as *to* you. If that is the *scurrility* you speak of, I agree with you, that it has been treated *with the contempt it deserves* by all the world; but how you can say that it has passed with *impunity*, I own I cannot conceive, unless, indeed, you are of opinion with those hardened criminals who think that, because there is no corporal sufferance in it, the being gibbetted in chains, and exposed as a spectacle, makes no part of their punishment.

"The letter written by you to Mr. Wilkes, tends more 'to wound your character and honor' than any other, and yet you pass it over in silence. But you shall, if you please, prove to the world, that those who have neither character nor honor, may still be wounded in a very tender part —— their interest. And I believe Lord Hillsborough is too noble to suffer any lord of the treasury to prostitute his name and commission to bargains like that I have exposed; but will, if he continues to preside at the board of trade, resolute-

ly insist either on such lord's full justification or dismission.——*Hinc illæ Lachrymæ.*

"You 'defy the whole world to prove a single word in my letter to be true; or that the whole is not a barefaced, positive, and entire lie.' The language of the last part of this sentence is such as I can make no use of, and therefore I return it back on you to whom it belongs: the defiance in the first part I accept and will disprove what you say.

"My letter can only be false in one particular, for it contains only one affirmation, namely, that I heard the story I relate from very good authority. It then concludes with a question to you of—who is this lord of the treasury that so abhors corruption? Which question, since you have answered, I too will gratify you, and, in return for yours, do hereby direct the printer to give you my name; which, humble as it is, I should not consent to exchange with you in any other manner.

"Now, sir, I do again affirm, that I heard the story from the best authority: and that it is not my invention, your own letter is a proof, for I might have heard it

either from Mrs. Burns, or from Mr. Pownall, or Mr. Bradshaw, but I heard it from better authority. I go further, I do still believe the story, as I related it, to be true; nor has any thing you have said convinced me to the contrary. I do not mean to charge you or any one; but since you have condescended to answer my former question, be kind enough to explain what follows:—

"Mr. Pownall is secretary to the board of trade. Mr. Bradshaw is secretary to the treasury. Why did these secretaries come together to you? Were they sent by their principals or not? Who first detected this very scandalous, though very common traffic? Has not Lord Hillsborough that honor? And is not your exaggerated 'abhorrence of corruption, your astonishment, and indeed *horror* at this shocking scene of villiany,' vastly heightened by the calm, and therefore unsuspected disapprobation of his lordship; who does not seem to think with you, that every whore should be hanged alive; but only that they should be *turned* out of honest company.

"How came you so instantly to entertain hopes of getting the money restored to Mrs. Burns? when you

declared, that 'till that morning, you never in your life heard a single word of either the office itself, nor of any of the parties concerned.' Jonathan Wild used to return such answers, because he knew the theft was committed by some of his own gang.

"You pretend to have given to the public 'all the knowledge you have of this detestable fraud.' I cannot believe it, because I find nothing in your letter on which to ground your hopes of restoring the money to Mrs. Burns; and, especially, because in three weeks after this letter, *i. e.* from June 27, to July 18, you have only discovered, that 'Mrs. Smith appears to be principally concerned in this detestable fraud, the money being, it seems, for her use.' Sir, do you not know *whose* Mrs. Smith is? And are you not acquainted with that gentleman? Have you caused Mrs. Smith, or any one else, to be taken into custody? Have you taken 'the best advice in the law, and are you determined to see if a jury will not do you and the public justice' for this detestable fraud? Or is there yet left one crime which you abhor more than corruption; and for which you reserve all your indignation? But why this anger? He that is innocent can easily prove himself to be so; and should be thankful to those who

gave him the opportunity, by making a story public. Malicious and false slander never acts in this open manner; but seeks the covert, and cautiously conceals itself from the party maligned, in order to prevent a justification.

" If any persons have done your character an injury by a charge of corruption, *they* are most guilty who so thoroughly believed you capable of that crime, as to pay a large sum of money on the supposition: (an indignity which I protest I would not have offered to you, though you had negotiated the matter, and given the promise yourself.) And yet I do not find you at all angry with them when they tell you their opinion of you without scruple. On the contrary, you pity Mrs. Burns in the kindest manner, which shows plainly that your honor is not like Cæsar's wife. Nay, you seem almost to doubt, whether you 'might beg the favor of Mr. Burns to meet you at your house in Curzon-street;' that is, you humbly solicit Mr. Burns to do you the *favor* of accepting your assistance in the recovery of his money.

" Archbishop Laud thought to clear himself to posterity, from all aspersions relative to popery, by in-

serting in his Dairy his refusal of a cardinal's hat, not perceiving the disgrace indelibly fixed on him by the offer. 'Mr. Burns has had the strongest recommendations from persons of undoubted veracity, and I believe, on all accounts, will be found to be perfectly capable and worthy of the employment.' The letter from Mrs. Burns to you does, by no means, declare her to be an idiot. Colonel —— (whom you forbear to mention,) is a man of sense, and well acquainted with the world. It is strange they should all three believe you capable of this crime, which, 'of all others, you must hold in abhorrence.'

"Mr. Pownall, Mr. Bradshaw, and their principals, are supposed to know something of men and things, and therefore, I conclude they did not believe you concerned in this business: though I wonder much, that, *not* believing it, both the secretaries should wait on you so seriously about it; but perhaps they may think that when honor and justice are not the rules of men's actions, there is nothing incredible that may be for their advantage.

"But, sir, whatever may be their sentiments of you, I must entreat you to entertain no resentment to me.

My opinion of your character would never suffer me to doubt your innocence. If, indeed, the charge of corruption had been brought against a low and ignorant debauchee, who, without the gratifications and enjoyments of a gentleman, had wasted a noble patrimony amongst the lowest prostitutes; whose necessities had driven him to hawk about a reversion on the moderate terms of one thousand for two hundred; whose desperate situation had made him renounce his principles and desert his friends, those principles and those friends to which he stood indebted for his chief support; who, for a paltry consideration, had stabbed a *dear old friend*, and violated the sacred rights of that grateful country that continued to the son the reward of his father's services. If the charge had been brought against such an one, more fit to receive the public charity than to be trusted with the *disposal* and *management* of the public money, small proof would have been sufficient; and, instead of considering it as a crime the most to be abhorred, we might have suffered corruption to pass amongst the virtues of such a man.

"But yours, sir, is a very different character and situation, in the clear and unincumbered possession of that paternal estate, with which your ancestors have

long been respectable, with a pension of three thousand, and a place of one thousand a-year; with the certain prospect of Lord O——'s large fortune, which your prudence will not anticipate; grateful to your country, faithful to your connections, and firm to your principles, it ought to be as difficult to convict you of corruption as a cardinal of fornication; for which last purpose, by the canon law, no less than seventy-two eye witnesses are necessary.

"Thus, sir, you see how far I am from casting any reflection on your integrity; however, if, notwithstanding all I have said, you are still resolved to try the determination of a jury, take one piece of advice from me—do not think of prosecuting me for an *insinuation:* alter your charge before it comes upon record, to prevent its being done afterwards; for, though Lord Mansfield did not know the difference between the words when he substituted the one for the other, we all know very well now that it is the *tenor*, and not the *purport*, that must convict for a libel, which indeed, almost every student in the law knew before."

The event of the trial which ensued, has been heretofore mentioned. *Junius* appears to have taken great

interest in this trial; and in a private letter addressed to Woodfall, dated Wednesday night, August 16, 1769, he expresses himself very contemptuously of Onslow—and adds, "*Depend upon it, he will get nothing but shame by contending with* Mr. HORNE."

The style and spirit of the following letter to David Garrick, November 10, 1771, is not only in the style of, but a *fac simile* of the true character of the Rev. JOHN HORNE.

"*November* 10, 1771.

"I am very exactly informed of your impertinent "inquiries, and of the information you so busily sent "to Richmond, and with what triumph and exultation "it was received. I knew every particular of it the "next day. Now mark me, *vagabond*—keep to your "pantomimes, or be assured you shall hear of it. "Meddle no more, thou busy informer! It is in *my* "power to make you curse the hour in which you "dared to interfere with

JUNIUS."

In the year 1771, Mr. HORNE became involved in his famous quarrel with Wilkes; which quarrel pro-

duced the controversy with *Junius*, which is mainly relied on to disprove the identity of the two characters. I shall not, in this place, enter into the merits of that correspondence, farther than to compare the language of HORNE to Wilkes, with some of the writings of *Junius*. In another chapter, I shall explain the reasons upon which I have been convinced that the pretended controversy between HORNE and *Junius*, in no way weakens the argument in favor of their identity, but, on the contrary, strengthens the probability.

"I did not, indeed, foresee that any member of the House of Commons would move for leave to bring in a bill to take away the right of appeal from the people, in cases of murder: but I did foresee, that Lord Mansfield would make such a motion, and such a bill unnecessary; and that he would, by studied delays and difficulties, most effectually take away the remedy of appeal, by showing us that the most eminent counsel at the bar, are not able to proceed in such a course, as to bring it to a trial. And I supposed that he would, as he has done, so protract the matter, by shifting his difficulties and his doubts, that either the proceedings on the appeal should be dropped, by the enormity of the expense, or the obstinate

virtue of the poor appellant have time to be cooled and corrupted."

"I expected also, to show that Lord Mansfield, who is so dexterous at removing difficulties, and shortening the way to a conviction for libel, according to the modern method of prosecution, was dexterous in finding out, or creating obstacles to a trial, in the ancient mode of appeal for murder."

"However, you must do something for your credits' sake—at least be witty—at least entertain the public—scraps of verses will not altogether answer the purpose. *Ah me!* is no argument; quotations are not proofs. If you will quote an *incomparable poet*, you should take some of his *incomparable poetry*. With such a choice of beauties before you, to select the passages with which you have lately patched your prose, convinces me that no friend can escape you, and that living or dead, it is your study and endeavor to show, if you can, their weak sides to the public."

"I have been, with others, struggling to make it your interest to be honest, and founded all my hopes, not on your principle, but common sense."

STEPHENS, *Vol.* 1, *p.* 240, 241.

"But the people must owe it to themselves, nor ought they to receive the restoration of their rights as a favor from any set of men, minister, or king. The moment they accept it as a *grant*, a *favor*, an *act of grace*, the people have not the prospect of a right left. They will, from that time, become like the mere possessors of an estate without a title, and of which they may be dispossessed at pleasure. If the people are not powerful enough to make a bad administration, or a bad king, do them justice, they will not often have a good one. Would to God the time were come, which I am afraid is very distant, beyond the period of my life, when an honest man could not be in opposition! I declare I should rejoice to find the patronage of a minister, in the smallest degree, my honor and interest. I never have pretended to any more than to prefer the former to the latter. But it is not upon me alone that you have poured forth your abuse, but upon every man of honor, who has deserved well of the public; and if you were permitted to proceed, without interruption, there would shortly not be found one honest man who would not shudder to deserve well of the people."

CHAPTER VIII.

In the year 1777, Mr. Horne was tried before Lord Chief Justice Mansfield, for a libel—as narrated in the account of his life. This libel was the publication in the Newspaper, (July 1775) of an advertisement to which his name was subscribed, in which he stigmatized the killing of Americans by the King's troops, at Lexington, in the April preceding, an inhuman murder. The advertisement is a curious one, and is therefore inserted here, as a specimen of the spirit which animated some of the English brethren in our behalf, at that period.

"*Kings-Arms, Cornhill, June* 7, 1775.

"At a special meeting this day of several members "of the constitutional society, during an adjournment, "a gentleman proposed that a subscription should be "immediatety entered into, (by such of the members "present, as might approve the purpose,) for raising

"the sum of £100, to be applied to the relief of the "widows, orphans, and aged parents of our beloved "American fellow-subjects, who, faithful to the char- "acter of Englishmen, preferring death to slavery, "were, for that resaon only, inhumanly murdered by "the King's troops, at or near Lexington and Concord, "in the Province of Massachusetts, on the 19th of "last April; which sum being immediately collected, "it was thereupon resolved, that Mr. HORNE do pay "to-morrow into the hands of Messrs. Brownes and "Collison, on the account of Dr. Franklin, the said "sum of £100; and that Dr. Franklin be requested "to apply the same to the above mentioned purposes.

JOHN HORNE."

For this publication he was, after the lapse of more than two years, and when the quarrel between the parent state and the colonies had proceeded to regular warfare, prosecuted, and brought to trial by the Attorney-general, (Thurlow) upon an information *ex officio*. From this trial, and which was brought on (in July 1777) before Earl Mansfield, and from Mr. HORNE'S speeches in defence, and after conviction, we shall make several extracts, and shall endeavor to strengthen our argument, by showing the similarity in

spirit, and sometimes in manner and expression, to *Junius*.

In making these comparisons, perfect identity must not be expected. The writings of *Junius* were at this time too popular and well remembered to allow their writer (situated in so dangerous a predicament) to gain any very obvious imitation, or copy, or presumptive evidence of any nature that could lead immediately to his detection; or would be likely to excite a suspicion that might be fatal in its consequences.

Something, too, must be allowed to the natural inferiority in polish of a discourse, delivered extemporaneously before a crowded auditory—and the regular methodical and labored productions of the study; and much more to the condensed and disguised form which this mystery compelled the author to use, and that from his own confession.

With these necessary allowances, the following is in the very style and spirit of *Junius*:—

In the opening of the trial, Mr. HORNE made an objection to the right claimed by the Attorney-general,

of replying, notwithstanding that no witnesses had been called by the defendant. This was overruled by Lord Mansfield, after some altercation between him and the defendant. For this he suffered severely throughout the trial, from *the sarcastic attacks* of Mr. HORNE. "To my great disadvantage and sorrow, your lordship interfered hastily, and saved Mr. Attorney-general the trouble of vindicating his claim." Your lordship saved him from the embarrassment he would then have found, and which I am confident he will now find, to produce one single argument of reason or justice, on behalf of his claim; and this your lordship did, by an absolute overbearing of the objection, without even permitting an argument."

"This is only a repetition of what happened before, if your lordship *will* thus do the business of the Attorney-general for him."

Lord Mansfield.—"You will have a remedy."

Mr. HORNE—"Oh, my lord, I have already suffered under your lordship's directing me to remedies. The most evil of all poisoners, are those who poison our remedies. Has your lordship forgotten? I am sure

you have not forgotten, that I have once before, in my life, had the honor to be tried before your lordship for a pretended libel. It was the most scandalous trial that ever came before a court. Your lordship cannot forget the particulars of that trial."**—— "We came to trial before your lordship, and I do remember some very strong cases (which, indeed, I intended to have published) of your lordship's practice in that trial."

"I have never complained of the practices used against me on that trial, nor of the mistakes (to speak gently) which your lordship made."

"First, your lordship interferes to save Mr. Attorney-general from attempting to give a reason, which you both know he cannot give; and then Mr. Attorney-general gets up to save your lordship in his turn, and to stop me from explaining your lordship's conduct."

"I was a constant attender of your lordship some years ago, and I have gathered from your practice, some things which I take to be, and some which I take not to be, law."

(Lord Mansfield, to the Attorney-general,) "Go on with the trial."

Mr. HORNE—"I shall hear no reason then from either of you? Well, if so, I must submit."

I cannot avoid adding the very severe and extraordinary attack which he made upon the Attorney-general. "He has talked so much of the fairness, and the conscience, and the integrity of his motives in doing it, that I am sure it will look comical if he refuses to hear those declarations. If he will not hear to those motives without his oath, I cannot believe it. If contrary to my expectations, he does hear to it, after his oath, I shall be left to exercise my own judgment."

Great stress has been laid by Mr. Taylor, in his book, upon the apparent regard entertained for Woodfall by *Junius*. Expressions are quoted from his private letters, which cannot be construed in any other manner, than as meaning a particular kindness and friendship for Woodfall.

I subjoin the evidence given by Mr. Woodfall upon this trial, which will, I think, prove, that between Mr. HORNE and Woodfall, the same confidence existed, which is likely to have induced the confidential and friendly expressions of regard which *Junius* uses, and

that the intercourse had continued for *nine years* previous :—

Henry Sampson Woodfall, *sworn.*

Examined by Mr. Wallace.

What business are you ?—A printer.

Do you print any newspaper ?—Yes.

What paper ?—The Public Advertiser.

Mr. Wallace.—Look at these two papers, (showing the witness the manuscripts of the advertisements.) The witness inspects the manuscripts.

Have you ever seen these papers before ?—Yes.

When did you see the first of them ?—About the 7th of June, 1775, as near as I can recollect.

By what means did you come by the sight of it ?—Mr. HORNE, the defendant, gave it me.

For what purpose ?—To publish in the Public Advertiser.

Did you accordingly publish it ?—I did.

Had you any other directions from Mr. HORNE ?—Yes.—He desired me to send it to several other papers, which I did.

Do you recollect the names of any of them ?—The whole, I believe, of them ; I cannot exactly recollect.

Did you follow his directions?—I did.

Was any thing paid for it?—Yes. Mr. HORNE paid the bill.

For the publication?—Yes.

Mr. Wallace.—Look at those newspapers (showing the witness the Public Advertiser of June the 9th, and of July 14, 1775.) The witness inspects newspapers.

Are those papers published by you?—I print that paper, and I suppose they are.

Cross-examined by the Defendant.

Mr. HORNE.—I am very glad to see you, Mr. Woodfall. I desire to ask you some questions. Pray, what was your motive for inserting that advertisement?—Your desire.

Had you no other motive?—I was paid for it, as the advertisement is paid for.

Pray, was it by accident or by my desire, that there should be witnesses to see me write that advertisement?—By your desire.

And did I, or did I not, formerly, before that witness, when called in, deliver that paper as my act and deed, as if it had been a bond?—Yes.

It is true I did.—Did I not always direct you, if

called upon, to furnish the fullest proof that you could give?—You did, Sir.

Now, then, Sir, if you please, say whether I have ever written any thing in your newspaper before?—Yes, frequently.

How many years ago, do you think?—The first remarkable thing that I remember, was something about Sir John Gibbons, about his mistaking Easter for a feast or a fast.

How long ago is that?—About the year 1768, about the election time.

That is about nine years ago?—Yes.

Have I at any time desired you to screen me from the laws?—No.

Has not the method of my transactions with you at all times been, that you should at all times, for your own sake, if called upon, give me up to justice?—Certainly, that has always been your desire.

Pray, Sir, were you not once called upon by the House of Commons for something that I wrote in your paper?—Yes, Sir.

Do you remember that I did, or did not, when I took care to furnish such full proof of this advertisement, give you the reason for it?—I cannot say I recollect the reason.

I will mention it.—Whether was this the reason. That in the last transaction before the House of Commons, it was pretended they let me off, because they could not get full evidence. Do you remember whether I rehearsed that or not; and said, that if they now chose to take notice of this advertisement, they should not want full evidence?—I do recollect that conversation.

You remember that was the reason I gave?—I do.

Will you please to look at these newspapers; (shewing several papers of the Public Advertiser to the witness. The witness inspects them.) Do you know these newspapers?—I do.

Do you believe that you published them?—I do.

Look at the dates.—I will call them over to you from a list—May the 30th and the 31st; June the 6th, the 9th, the 10th, the 12th, the 15th, and the 16th, 1775?—I have looked at the papers; they are all of my publication; the date of one of them I cannot make out; it is June something.

We will go on—June the 21st and the 27th, 1775; then there is January the 11th, February the 8th, February the 7th, the 11th, June the 2d, and June the 30th, 1777?—They are likewise of my publishing.

Pray, Sir, do you recollect the contents of the paper of May 30, 1775?—No, upon my soul, I do not.

You are upon your oath.—I know that indeed.

Read that part (pointing a part out;) read from "In provincial congress, April 26, 1774," down to that part (pointing it out.)

Mr. Wallace.—The officer should read it; though not now. You will be entitled to read it, when you come to your defence.

Mr. Horne.—Pray, do you know Mr. Arthur Lee? Yes.

Did you ever receive any account from him relative to the persons killed at Lexington and Concord?—I really do not recollect.

Do you recollect that you ever published his name to an account?—I think I did; relating to his agency for some colony.

Look at that, and see whether you remember that, and how you received it? (Witness inspects Public Advertiser of May 31, 1775,)—Yes. I think I received this from Mr. Arthur Lee.

Pray, who was Mr. Arthur Lee?—He is of the bar. I have seen him in Westminster-Hall. He was there at the trial of Mr. Wright, the printer, upon this very affair. I believe he was retained there.

Pray, was he retained in your cause when you were to be prosecuted for this advertisement?—He was.

And why did you retain him?—Had you any particular reason?—I presumed he knew more of the subject of the advertisement than I did.

Did he ever tell you any thing upon the subject?—We have had private conversation together as a matter of news.

Did he ever tell you he had lodged affidavits with the Lord Mayor of London?—He did.

Sir, did you ever tell me so?—I do not recollect.

Pray, when had you, for the first time, any notice of a prosecution for the publishing of this advertisement?—About two years ago.

Pray, did that prosecution go on?—No.

Do you know why?—Yes. I let judgment go by default.

The first time?—I was never called upon till last January.

It began two years ago; and you were never called forward upon it till last January?—I think that was about the month.

As near as you can recollect?—Yes.

When were you first applied to, or were you ever applied to, to be a witness in this cause?—I was not.

You never were?—No.

How came you to be an evidence?—I heard that if I could produce my author, matters might be better for me; and as you had no sort of objection, (which you told me at the time) I did, of course, produce those copies that appeared there, to Messrs. Chamberlayne and White, the solicitors for the treasury.

Should you, at any time, if you had been called upon, have declared that I was the author of that advertisement?—Most certainly; for you desired it.

And would have given your evidence?—Yes.

Whom was the application made by?—It was no sort of application at all; I heard of it.

By whom?—My brother.

You never refused to furnish evidence against the author?—No.

You never were applied to, to do it?—No; I was not.

You have said that I never desired you to conceal me from the law for any thing you published from me. Did you ever receive any letter or message from Sir Thomas Mills in your life?—A private letter I have.

But did not the private letter relate to that public paper?—Never.

Did you never receive any message not to insert

any thing in your paper about Lord Mansfield's earldom ?—No.

Upon your oath ?—Upon my oath, to the best of my recollection, I never did.

From any quarter ?—No.

Sir, were you ever sent for by Lord Bute ?—No ; I never saw him.

Were you not sent for, for inserting a paragraph about the King's marriage ?—No ; I am not consulted by the higher powers, I assure you.

If I had thought you were, I never should have trusted you: I do not think you are.—I am much obliged to you for your good opinion.

Mr. HORNE.—I will give you no more trouble.

The following passages, introduced for the purpose of showing how closely HORNE and *Junius* sometimes approach in point of style, may not be uninteresting to the reader. They certainly have the greatest weight in point of *proof* on this question.

"Murder and sodomy, you know, have, in these our days, often found successful solicitors: and the laws against popery (though unrepealed, and in full legal force) are, when resorted to, thought by the magis-

trate who presides here, too rigorous to be suffered to have their free course, against a religion so destructive to the civil rights of mankind, and to favor absolute and arbitrary power. But while that has been favored beyond the laws, nothing beyond the laws has been thought rigorous and severe enough against the charge of libel. Murder, under the most aggravating circumstances, has been repeatedly pardoned: and treason, the blackest treason to the family on the throne, and (*what is of much more consequence to us than any family*) to the free constitution of this country, has been not only pardoned, but taken into favor; and the estates of convict traitors have been restored to them and their families, while mercy and forgiveness have been thus flowing unnaturally, in a full stream, over the highest mountains of iniquity. Has any of you ever spied the smallest rivulet descending towards the valley of the libeller? Has any man, charged with a libel (and what has not been charged as a libel?) has any man so charged, ever yet met with mercy?"

The tone of cool irony—the side blow at Lord Mansfield—the air of contempt with which he speaks of the abuse of the prerogative, are the very spirit of *Junius:* and compares with the passage italicised, the

same sentiment in *Junius*, studiously inserted—"The man who deserts it at this crisis, is an enemy to his country, and what I think, of infinitely *less importance, a traitor to his sovereign.*"

The same tone of sarcastic contempt pervades the following:—

"A gentleman who was a juryman on that occasion, is now a baronet, and of great consequence at the India-House. Gentlemen, if you make yourselves useful, there is a better track open to you than the honorable and just gains of your profession."

"Gentlemen, it is very well known that the Attorney and Solicitor-generals, make a considerable part of every administration. They sit there in the House of Commons on each side of the minister. The *Jachin* and *Boaz* of the minister in the House of Commons. However, gentlemen, though this situation of theirs makes us smile, it is a very serious thing, especially when their honor and conscience are to go to you for proof instead of argument." "Gentlemen, *libel*, as well as the Attorney-general, depends very much upon the minister; why, do not we all know very well

that they who were pilloried for a libel in the last reign, are pensioned in this?"

"It is not for crimes against the state, that this power intervenes, but for partial political opinions; and the man who is pilloried and imprisoned to-day, may, for the same act, be pensioned to-morrow, as the hands change. If this party goes down, it is a libel—if it comes up, it is a merit. Is it in this kind of change that an Attorney-general should employ all these unjust powers? Sermons, petitions, books against plays, saying that money will corrupt men—nothing but barely mentioning the effects of money; all have been prosecuted and punished, and ears cut off, and those things for libel."

JUNIUS.—"Cutting off ears and noses might still be inflicted by a resolute judge."

HORNE.—"Gentlemen, I said that *ex efficio* contained every thing that was illegal, unjust, wicked, and oppressive.—He (the Attorney-general,) 'brings it on as he pleases.'—He has no resort to a grand jury, or the country, to accuse; but contrary to express law, and what is much

stranger, contrary to the strongest and the very fundamental reason of that law, he has no recourse to a grand jury, because it is the pretended suit of the crown."

JUNIUS, on the same argument.—"If any honest man should still be inclined to leave the construction of libels to the court, I entreat him to consider what a dreadful complication of hardships he imposes upon his fellow-subjects. In the first place, the prosecution commences by information of an officer of the crown, and not by the regular constitutional mode of indictment before a grand jury."

HORNE pursues.—"Indeed, the nature of a libel always makes a jury the best judges of it. For a libel, (if it be so,) is indeed for mischief; it must therefore, be intelligible to the people; or no mischief could be produced by it. If a man writes a libel that a common jury could not understand, (and you are a special jury, gentlemen,) he must fail in his design."

JUNIUS.—"But the truth is, that if a paper, supposed to be a libel upon government, be so obscurely

worded, that twelve common men could not possibly see the seditious meaning and tendency of it, it is, in effect, no libel.

HORNE.—"I have laid before you a sacred principle with which I am much better acquainted than with any precedents—and for one of which I would willingly give up all the precedents that ever existed."

JUNIUS, to Mr. Wilkes.—"It is not that precedents have any weight with me in opposition to principles, but I know they weigh with the multitude."

HORNE.—"My lords, he represents me as speaking the language of —— 'if you dare to punish me;' and he says, 'it is a language addressed to the lowest of the mob.' Indeed, I think so too; but it is his own language, not mine. My lords, he has dwelt upon my occasions, my desperate situation, my want of character and fortune. My lords, it is my misfortune that, from my cradle, I have had as effeminate an education and care, and course of my life, as Mr. Attorney-general.

"It is my misfortune, that there was not a greater want of fortune; and as for my occasions, my means have always been beyond them. I should rather, my lords, if I was speaking in extenuation, or to mitigate your punishment, I should rather close in with Mr. Attorney-general, and acknowledge myself that desperate, helpless wretch, that he has represented me. Perhaps it would be the most effectual motive to your lordships compassion. My lords, I never, in my life, solicited a favor; I never desire to meet with compassion. My lords, he has talked to your lordships of my patrons. I have had in my life, and early in my life, the greatest of patrons; aye, with all their power, greater than any that now hear me. My lords, I renounced my patrons, because I would not renounce my principles; repeatedly, over and over again, of different descriptions and in different situations. My lords, I am proud, because I am insulted; or else I certainly should not have held any of this language. My lords, Mr. Attorney-general, through a blameful carelessness, has told you a story of a theological, polemical dispute

between myself and a parishioner. I can easily conceive that he let himself fall into that mistake, for the sake of a smile from your lordships and the court, upon the reverend gentleman. But in this, like the rest, my lords, there is not a syllable, not the smallest foundation, of truth. I never had a theological, polemical dispute. My lords, I am free to acknowledge that no theological disputes that ever I read, and I have endeavoured to read all that ever happened; none of them ever interested me in the manner that the present dispute do interest me. My lords, I never was made to be a martyr. I have opinions of my own; but I never intended to suffer for them at the stake.

"My lords, he has endeavoured to insinuate, that all that I wrote, and all that I said, was, for the sake of a paradeful triumph over justice: and he has talked again and again of the mob. My lords, the mob have conferred no greater favors upon me, than upon Mr. Attorney-general. I have been repeatedly followed by very numerous mobs, in order to

destroy me, single, and alone, for a great length of way: not once, or twice, or three times, but four and five times; two or three thousand at my heels. I am sensible of the ridicule of the situation, even whilst I mention it. These are the only favors that I ever have received from the mob; these are the only favors that I have solicited; and I protest to your lordships, I had much rather hear the mob hiss than halloo, for the latter would give me the headach; the first gives me no pain. My lords, I have heard of those who have expressed more wishes for popularity than ever I felt. I have heard it said, and I think it was in this court, that they would have popularity, but it should be that popularity which follows, not that which is sought after! My lords, I am proud enough to despise them both. If popularity would offer itself to me, I would speedly take care to kick it away. My lords, as for ambition, and bodies of men, and parties, and societies, there is nothing of it in the case. There is no body of men with whom I can think, that I know of. There is no body of men with whom I am connected.

There is no man, or men, from whom I expect help, or assistance, or friendship, of any kind beyond that which my principles or services may deserve from them individually. Private friendships I have, like other men, but they are very few; however, that is recompense to me, for they are very worthy. My lords, Mr. Attorney-general has said, that I represented imprisonment as no kind of inconvenience to me. As no kind of inconvenience, my lords, will not certainly be true, because the great luxury of my life is a very small, but a very clean cottage: and though imprisonment will be so far inconvenient to me, the cause of it will make it not painful. My lords, I find that only I have a *sort* of understanding, very different from that of Mr. Attorney-general; but my notions of law, and my notions of humanity, are equally different. My lords, between the time that I had the last honor of appearing before you and the present time, it happens very unfortunate y for Mr. Attorney-general that he has proved, that not only my notions of law and decency, but my notions of propriety and humanity are widely different

from his; and I mention it, my lords, because it goes immediately to the doctrine now attempted to be established.

"Mr. Attorney-general has heard a person, as great as himself, between that time and this, justify the legality, the propriety, the humanity of the tomahawk and the scalping knife. Between the last time I appeared here, and this time, these have been the sort of *king's troops*, justified by a high officer of the law, to be employed as legal, proper, mild, and humane."

JUNIUS' Letter, 44.— "To write for profit, without taxing the press; to write for fame, and to be unknown; to support the intrigues of faction, and to be disowned as a dangerous auxiliary, by every party in the kingdom, are contradictions which the minister must reconcile before I forfeit my credit with the public. I may quit the service, but it would be absurd to suspect me of desertion. The reputation of these papers is an honorable pledge for my attachment to the people. To sacrifice a respected char-

acter, and to renounce the esteem of society, requires more than Mr. Wedderburne's resolution; and though in him it was rather a profession than a desertion of his principles, (I speak tenderly of this gentleman, for when treachery is in question, I think we should make allowances for a Scotchman.) Yet we have seen him in the House of Commons overwhelmed with confusion, and almost bereft of his faculties. But, in truth, Sir, I have left no room for an accommodation with the piety of St. James'. My offences are not to be redeemed by recantation or repentance. On one side, our warmest patriots would disclaim me as a burthen to their honest ambition. On the other, the vilest prostitution, if *Junius* could descend to it, would lose its natural merit and influence in the cabinet, and treachery be no longer a recommendation to the royal favor."

To these extracts may be added the account given of *Junius*, in his own admissions, contained in his private letters, and gathered from expressions in his public letters; and

they will be found, I think, to increase the strength of our proof in favor of Mr. HORNE. They have at least the effect of destroying Mr. Francis' claims. In the comparison between TOOKE and Mr. F., it is conclusive against Mr. Francis. To the single pretensions of Mr. F., it has a more decided application than to those of any other claimant, and therefore increases the presumption in favor of HORNE TOOKE.

CHAPTER IX.

I NOW approach the celebrated controversy between JOHN HORNE and *Junius*, which is mainly relied on by those who argue against Mr. HORNE'S pretensions to the authorship of *Junius*, as decisive of the question. Upon the first view, it does, indeed, seem to have this effect, but a closer examination of the circumstances, under which the correspondence originated, the relative situation of HORNE with Wilkes, and *Junius* with Wilkes, and the nature and causes of the quarrel which separated the bodies of the popular party, will, I think, weaken the force of this reasoning. The whole correspondence appears to me, (and I will state my reasons) to be a mere *finesse*—a bold and successful attempt to turn public attention from the author, and disunite forever the ideas of HORNE and *Junius*.

John Wilkes, Esq., Alderman of London, and M. P. for Middlesex, and JOHN HORNE, clerk, had been, up

to the time of this correspondence, joint leaders of the popular party in the city of London. But united as they were in advancing the public cause, their characters and circumstances, and I may add, their ultimate views, were too radically different, to permit them to feel a personal cordiality for each other, or agree long in the prosecution of the same public aim. Scrupulously just and honorable himself, Mr. HORNE could not but be disgusted with the follies, and consequent necessities, which Mr. Wilkes could not, by any argument, be induced to forego, even for the most important public objects; nor could he forbear from constantly and loudly expressing his indignation at the luxurious and profligate course of life, shamelessly persisted in by a man, who was supported by the bounty of the public. In addition to this cause of difference, Mr. Wilkes' glaring inconsistency on the subject of the American war, and his meanness for preventing a vote of money to the printer, Bingley, hastened the hostilities which ensued between them. The contest commenced by an account, which was published in the Public Advertiser of October 31, 1770, of a meeting held at Westminster, relative to the impeachment of Lord North. This account reflected severely upon Mr. Wilkes, who was the chairman on that occasion; and it was attributed

to Mr. HORNE. Mr. Wilkes replied, under his own signature, and was seconded by two anonymous writers under the signatures of "*Scourge*," and "*Cat-o-nine-tails.*" Mr. HORNE then commenced his public letters to Mr. Wilkes, by a reply, published in the Public Advertiser, and dated Monday, January 14, 1771. This letter commenced in the following manner:—

"*Sir*,—An agent of yours declared some time ago, that it would be useful to your affairs, to come to an open rupture with me. From this opinion has flowed all the abuse which has lately been bestowed upon me in the public papers. I believe you have mistaken a strong inclination for policy, and have yielded to natural bias, in opposition to honesty, and your interest."

Mr. Wilkes replied with acrimony, and the correspondence continued, until it was closed by a final letter of Mr. HORNE'S, dated July 10th. The letter of *Junius*, in which the mention of Mr. HORNE was made, from which the controversy with him took rise, is dated July 9th, the very day before; and Mr. HORNE'S reply is dated July 13. These dates are of some little importance, and deserve some attention. Wilkes had announced by his letter, dated June 20th,

his intention of making no further reply to Mr. HORNE. HORNE, thus left in possession of the field, was attacked by the invisible *Junius*, on the very day preceding the publication of his own last letter, and at a time when popular feeling was very strong against him. Shut out by his quarrel with Wilkes, from an active participation in election politics, and having just finished his newspaper controversy, the attack found him at perfect leisure to vindicate himself, and (upon the supposition that he was himself his own assailant for the purposes of justification) the time was well chosen.

It cannot be denied, that the contest with Mr. Wilkes had made Mr. HORNE very odious to the supporters of the latter gentleman; and, as he was in the zenith of his popularity, Mr. HORNE was proportionably disliked, Of the justice of the dispute, no doubt possibly could be entertained. The impolicy on the part of Mr. HORNE is equally clear; and notwithstanding the firmness and ability with which he defended himself, and attacked the motives and conduct of Wilkes, he met the usual fate of all who attempt to stem the current of popular feeling, by endeavouring to expose the errors of its idol. The public declared in

favor of Mr. Wilkes, and a division between the popular leaders hurt the public cause. It was under such circumstances, that *Junius*, by an unfounded and unprovoked attack, gave Mr. HORNE an opportunity of complete justification. This favors our supposition, and several other circumstances strengthen it further.

The personal feelings and honor of Mr. HORNE had been wounded by Mr. Wilkes, in their controversy. Charges had been brought against him covertly and anonymously by Wilkes, or under his direction, to which Mr. HORNE was bound to make reply, or forfeit his credit with the public. The quarrel drew him into an expose of the character of Mr. Wilkes, and his own private causes of complaint against him, which causes involved a considerable degree of moral turpitude on Wilkes. This Mr. HORNE was bound in honor to do, and his refutation was complete, as to his own character, and his charges against his adversary were as fully proven. In all this, however, the vindication of his own personal share in the transactions of the day, and the discussion of the removal of lesser evils, were alone the objects of Mr. HORNE. No man was more capable than he was, to distinguish between the man and his cause; and no man more willing,

as his life uniformly showed, to postpone the gratification of his own feelings to the public good. His motives of conduct, on such occasions, are expressed by himself, in one of his letters to Wilkes, in this strong manner:—

"For these purposes, if it were possible to suppose that the great enemy of mankind could be rendered instrumental to their happiness, so far the devil himself should be supported by the people. For a human instrument they should go further—he should not only be supported, but thanked and rewarded, for the good which perhaps he did not intend, as an encouragement to others to follow his example.

"As far as the support of Mr. Wilkes tends to that point, I am as warm as the warmest; but all the lines of your projects are drawn towards a different centre—yourself—and if with a good intention I have been diligent to gain your powers, which may be perverted to mischief, I am bound to be doubly diligent to prevent their —— being so employed."

Thus then he avowed his disposition not to abandon the support of Mr. Wilkes, so far as his cause was a

public cause. His intentions were to correct his errors, and scrutinize his conduct, to make him worthy of that support: and hence the violence of Mr. Wilkes, and his partizans, against HORNE. Holding these sentiments, (and they are the sentiments of *Junius*,) is it in any light to be wondered at, that he should support anonymously as *Junius*, the man whom his public support could avail nothing, but to bring additional misrepresentations on the supporter? Identified as Mr. Wilkes was, with reform of parliament, the right of representation, and popular rights in general, it was not for such a man as HORNE to stop midway, or spare himself in the contest, on his behalf.

In these views, then, as artifice to divert public attention, as a means of vindicating himself and his character, and as anonymous support, &c. of the popular candidate, whom he could not openly aid, the pretended controversy was eminently successful.

The weakness of the charge made against HORNE, by *Junius*, and the precipitancy with which it was given up, upon HORNE'S public denial and demand of proof, have often been remarked, but never accounted for before. The slanders with which the

newspapers had been filled, relative to HORNE, were collected in a compendious sentence, and urged gravely, and with apparent bitterness, by a most popular writer. The accused party demands explanation and proof, unequivocally denying their truth. The accuser, though backed by the popular opinion, and with all the arguments that Wilkes and his partizans had furnished for months before, reiterates the charge, without offering proof, and adds abuse. The accused replies with a full and triumphant vindication of his character, and recriminates upon his adversary, who retires from the contest, and leaves the party acquitted, and in possession of the field. It would be beyond the belief of any man, to assert that *Junius* might not have made out a better case than he did, or that HORNE would not have found himself better matched than with Wilkes, had the same spirit that actuated *Junius* against the Duke of Grafton, pushed him to the same extremities. The whole affair has, with this explanation, the air of an ingenious *finesse*, through which the author, under his own name, might acquire additional reputation as a writer, at the same time he vindicated his reputation as a politician, and as a man of honor; while in his anonymous character, he urged those measures, which the peculiarity of his own

situation prevented him from asserting with any probability of success.

It is urged in opposition to all this, that it is highly improbable, that any man would use of himself, the terms of reproach which were so freely bestowed by both parties in this contest. To this, several answers may be given, each of which is of some force in obviating the objection. In matters of high importance, where there are reasonable arguments to answer, or important objects to attain, men of cool judgment and independent spirit, care little for opprobrious epithets. These are only for effect upon the multitude, and are used in the present instance, most probably to increase the public opinion of the sincerity of the combatants. From the newspapers of the day, could be culled a hundred vituperative figures of speech, applied in every variety, and form of expression to each, by the partizans of the ministry, and the friends of Wilkes. It required no great range of reading, or labor of selection, to cull from them all the reproachful terms which were necessary to sustain the character, and evidence the sincerity of each. The most obvious reproach against Mr. HORNE, in his own person, was his original profession. Of this he frequently spoke himself; his

opponents constantly rung the changes upon it, and his old friends now became his enemies, spoke sneeringly of "*meddling priests*"—*Parson* HORNE.

Accordingly the sarcasms of *Junius* are addressed against this popular cause of odium. The obscurity and unaccountability of *Junius*, formed with the other topics of newspaper invective—the burden of HORNE'S replies, and thus mutual revilings, were handed backward and forward, with as much industry and apparent sincerity, as though the two hands, in which they were tossed to and fro, did not belong to the same body. That such insensibility to printed calumny, was a peculiar trait in Mr. HORNE, and that he is from that circumstance, likely to have written for the purposes of mystery, disparagingly of himself. I shall show by a similar circumstance, avowed by himself, in his remarks to the jury, after his acquittal for high treason, in 1794:—

> "Every man who came to me, of every opinion "whatever, if he asked my opinion, I corrected "his books—a gentleman in court wrote a book "against me, I corrected the book myself."

This fact proves his insensibility to the common feelings of literary antagonists, and is strong upon this point. Whether he did not, in a mysterious manner, allude to the very correspondence of which I am speaking, and describe himself as "a gentleman in court," is a question which cannot possibly be answered decisively. I think with some of those who have examined HORNE'S pretensions to this claim, that there is the greatest probability, *that he covertly alluded to the letters of Junius, he himself being the author.*

I shall quote from Mr. Stephens' life of JOHN HORNE TOOKE, Vol. I, page 415, in which he says, "I have been assured more than once, by the subject of this memoir, that he absolutely *knew* the author who wrote under the name of *Junius.*" To another gentleman, he lately added, "*that Junius was still alive.*"*

* This is precisely corroborated in his private conversations with the author of this, about twelve years previous, as detailed in the first chapter, pages 17 and 18, *ante.*

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Signed
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Facsimile of the hand writing of Junius in his private correspondence with H. H. Woodfall

Letter 8.

private

Sir The last letter you printed was ~~dl~~ improper, & I assure you printed against my own opinion The Truth is, there are people about me, whom I ~~wd~~ would wish not to contradict, & who had rather see Junius in the papers, ~~wer~~ ever so improperly written, than not at all. I wish it cd be recalled. Suppose you were to say - We have some reason to suspect that the last Letter signed Junius in this paper was not written by the real Junius, tho' the Observation escaped us at the time., or if You can hit off any thing Yourself more plausible, You will much oblige me, but without a positive Assertion. Don't let it be the same day with the inclosed. - beg pardon for this trouble. I remain your friend & humble servant

Facsimile of the hand writing of H. Horne Tooke

I am well pleased and perfectly satisfied. If you will sign a fair Copy of the inclosed and cannot get Mr. C. to present it for you send it to me, and I will get it presented

Whatever happens, do you persevere and persist, and wonder at nothing All stands well

Deposition of A. Imbert Lithographer taken before R. Riker Recorder of the City of New York, with a Facsimile of the hand writing of the Recorder.

By comparing the above I find a striking resemblance in the shape of the letters; In not the d, in the conjunction and in the first line of Horne Tooke's letter the same and placed in the same manner over the end of the hair line of the last d, of the word inclosed in the last line but one of Junius' Let. and Not only the d's, have all the same turn, but the p's, the h's, ll, s, Ts W's require but little attention on the part of the reader to identify that the above letters have been written by the same hand. I have taken the facsimilies of the hand writing of Junius and Horne Tooke in their private letters to Mr H. S. Woodfall, as accurately as I possibly could do it — In my Judgement the hand that wrote the one wrote the other

A. Imbert, Lithographer

Sworn before me in the City Hall of the City of New York this 17th day of March 1828

R. Riker

Recorder of the City of New York

ng of M.r Horne Tooke.

well pleased and perfectly
ign a fair copy of the inclosed
sent it for you send it to
ented
persevere and persist,
All stands well

en before R. Riker Recorder of the
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ing resemblance in the shape of the
"an" in the first line of Horne Tooke's
curve over the end of the hair line
the last line but one of Jennings' Let
ne there, but the p's, the h's,
Mention on the part of the reader

CHAPTER X.

JUNIUS, in his letter to his grace the Duke of Grafton, dated July 9, 1771, first commencing his attack on Mr. HORNE, by observing :—

" The unfortunate success of the Reverend Mr. HORNE'S endeavours in support of the ministerial nomination of sheriffs, will, I fear, obstruct his preferment. Permit me to recommend him to your grace's protection. You will find him copiously gifted with those qualities of the heart, which usually direct you in the choice of your friendships. He too, was Mr. Wilkes' friend ; and, as incapable as you are, of the liberal resentment of a gentleman. No, my lord, it was the solitary, vindictive malice of a monk, brooding over the infirmities of his friend, until he thought they quickened into public life, and feasting with a rancorous rapture, upon the sordid catalogue of his distresses. Now let him go back to his cloister.

The church is a proper retreat for him. In his principles, he is already a bishop.

"The mention of this man has moved me from my natural moderation.

JUNIUS."

FROM THE REVEREND MR. HORNE TO JUNIUS.

"*July* 13, 1771.

"Sir—*Farce*, *Comedy* and *Tragedy*—*Wilkes*, *Foote* and *Junius*, united at the same time against one poor parson, are fearful odds. The two former are only laboring in their vocation, and may equally plead, in excuse, that their aim is a livelihood. I admit the plea for the *second:* his is an honest calling, and my clothes were lawful game; but I cannot so readily approve Mr. Wilkes, or commend him for making patriotism a trade, and a fraudulent trade. But what shall I say to *Junius?* The grave, the solemn, the didactic! Ridicule, indeed, has been ridiculously called the test of truth; but surely, to confess that you lose your natural moderation when mention is made

of the man, does not promise much truth or justice when you speak of him yourself.

"You charge me with 'a new zeal in support of administration,' and with 'endeavours in support of the ministerial nomination of sheriffs.' The reputation which your talents have deservedly gained to the signature of *Junius*, draws from me a reply, which I disdained to give to the anonymous lies of Mr. Wilkes. You make frequent use of the word *gentleman;* I only call myself a *man*, and desire no other distinction. If you are either, you are bound to make good your charges, or to confess that you have done me a hasty injustice upon no authority.

"I put the matter fairly to issue. I say that, so far from any 'new zeal in support of administration,' I am possessed with the utmost abhorrence of their measures; and that I have ever shown myself, and am still ready, in any rational manner, to lay down all I have—my life, in opposition to those measures. I say, that I have not, and never have had, any communication or connection of any kind, directly or indirectly, with any courtier or ministerial man, or any of their adherents; that I never have received, or solicit-

ed, or expected, or desired, or do now hope for, any reward of any sort, from any party or set of men in administration, or opposition. I say, that I never used any 'endeavours in support of the ministerial nomination of sheriffs;' that I did not solicit any one liveryman for his vote for any one of the candidates, nor employ any other person to solicit; and that I did not write one single line or word in favor of Messrs. Plumbe and Kirkman, whom I understand to have been supported by the ministry.

"You are bound to refute what I here advance, or to lose your credit for veracity. You must produce facts; surmise and general abuse, in however elegant language, ought not to pass for proofs. You have every advantage, and I have every disadvantage: you are unknown, I give my name. All parties, both in and out of administration, have their reasons (which I shall relate hereafter) for uniting in their wishes against me: and the popular prejudice is as strongly in your favor as it is violent against the parson.

"*Singular as my present situation is, it is neither painful, nor was it unforeseen.* He is not fit for public business, who does not, even at his entrance, prepare

his mind for such an event. Health, fortune, tranquility, and private connections, I have sacrificed upon the altar of the public; and the only return I received, because I will not concur to dupe and mislead a senseless multitude, is barely, that they have not yet torn me in pieces. That this has been the only return is my pride, and a source of more real satisfaction than honors or prosperity. I can practice, before I am old, the lessons I learned in my youth; nor shall I forget the words of an ancient monitor:—

"'Tis the last key-stone
"That makes the arch: the rest that there were put,
"Are nothing till that comes to bind and shut;
"Then stands it a triumphal mark! Then men
"Observe the strength, the height, the why and when
"It was erected; and still, walking under,
"Meet some new matter to look up and wonder."

"I am, Sir, your humble servant,

"JOHN HORNE."

TO THE REVEREND MR. TOOKE.

July 24, 1771.

" Sir—I cannot descend to an altercation with you in the newspapers: but since I have attacked your character, and you complain of injustice, I think you have some right to an explanation. You defy me to prove that you ever solicited a vote, or wrote a word in support of the ministerial aldermen. Sir, I did never suspect you of such gross folly. It would have been impossible for Mr. HORNE to have solicited votes, and very difficult to have written in the newspapers in defence of that cause, without being detected, and brought to shame. Neither do I pretend to any intelligence concerning you, or to know more of your conduct than you yourself have thought proper to communicate to the public. It is from your own letters, I conclude, that you have sold yourself to the ministry: or, if that charge be too severe, and supposing it possible to be deceived by appearances so very strongly against you, what are your friends to say in your defence? Must they not confess, that, to gratify your personal hatred of Mr. Wilkes, you sacrificed, as far as depended on your interest and abilities, the cause

of the country? I can make allowance for the violence of the passions; and if ever I should be convinced that you had no motive but to destroy Wilkes, I shall then be ready to do justice to your character, and to declare to the world, that I despise you somewhat less than I do at present. But, as a public man, I must forever condemn you. You cannot but know, (nay, you dare not pretend to be ignorant) that the highest gratifications of which the most detestable**in this nation is capable, would have been the defeat of Wilkes. I know that man much better than any of you. Nature intended him only for a good humoured fool. A systematical education, with long practice, has made him a consummate hypocrite. Yet this man, to say nothing of his worthy ministers, you have most assiduously labored to gratify. To exclude Wilkes, it was not necessary you should solicit votes for his opponents. We incline the balance as effectually by lessening the weight in one scale, as by increasing it in the other.

"The mode of your attack upon Wilkes (though I am far from thinking meanly of your abilities) convinces me that you either want judgment extremely, or that you are blinded by your resentment. You ought

to have foreseen that the charges you urged against Wilkes could never do him any mischief. After all, when we expected discoveries highly interesting to the community, what a pitiful detail did it end in !—some old clothes—a Welch pony—a French footman—and a hamper of claret. Indeed, Mr. HORNE, the public should and will forgive him his claret and his footman, and even the ambition of making his brother chamberlain of London, as long as he stands forth against a ministry and parliament who are doing every thing they can to enslave the country, and as long as he is a thorn in the King's side. You will not suspect me of setting Wilkes up for a perfect character. The question to the public is, where shall we find a man who, with purer principles, will go the lengths, and run the hazards, that he has done ? The season calls for such a man, and he ought to be supported. What would have been the triumph of that odious hypocrite and his minions, if Wilkes had been defeated? It was not your fault, reverend sir, that he did not enjoy it completely. But now I promise you, you have so little power to do mischief, that I much question, whether the ministry will adhere to the promises they have made you. It will be in vain to say that I am a partizan of Mr. Wilkes, or personally your enemy.

You will convince no man, for you do not believe it yourself. Yet I confess I am a little offended at the low rate at which you seem to value my understanding. I beg, Mr. HORNE, you will hereafter believe, that I measure the integrity of men by their conduct, not by their professions. Such tales may entertain Mr. Oliver, or your grandmother; but, trust me, they are thrown away upon *Junius*.

"You say you are a *man*. Was it generous, was it manly, repeatedly to introduce into a newspaper, the name of a young lady with whom you must heretofore have lived on terms of politeness and good humour? But I have done with you. In my opinion, your credit is irrecoverably ruined. Mr. Townshend, I think, is nearly in the same predicament. Poor Oliver has been shamefully duped by you. You have made him sacrifice all the honor he got by his imprisonment. As for Mr. Sawbridge, whose character I really respect, I am astonished he does not see through your duplicity. Never was so base a design so poorly conducted. This *letter, you see, is not intended for

* This letter was transmitted privately by the printer to Mr. HORNE, at *Junius*' request. Mr. HORNE returned it to the printer, with directions to publish it.

the public; but, if you think it will do you any service, you are at liberty to publish it.

"JUNIUS."

FROM THE REVEREND MR. HORNE TO JUNIUS.

July 31, 1771.

"*Sir*—You have disappointed me. When I told you that surmise and general abuse, in however elegant language, ought not to pass for proofs, I evidently hinted at the reply which I expected: but you have dropped your usual elegance, and seem willing to try what will be the effect of surmise and general abuse in very coarse language. Your answer to my last letter (which, I hope, was cool, and temperate, and modest) has convinced me, that my idea of a *man* is much superior to yours of a *gentleman*. Of your former letters, I have always said, *Materien superabat opus:* I do not think so of the present: the principles are more detestable than the expressions are mean and illiberal. I am contented that all those who adopt the one, should forever load me with the other.

"I appeal to the common sense of the public, to

which I have ever directed myself: I believe they have it; though I am sometimes half inclined to suspect, that Mr. Wilkes has formed a truer judgment of mankind than I have. However, of this I am sure, that there is nothing else upon which to place a steady reliance. Trick, and low cunning, and addressing their prejudices and passions, may be the fitest means to carry a particular point; if they have not common sense, there is no prospect of gaining for them any real permanent good. The same passions which have been artfully used by an honest man for their advantage, may be more artfully employed by a dishonest man for their destruction. I desire them to apply their common sense to this letter of *Junius*, not for my sake, but their own; it concerns them most nearly; for the principles it contains lead to disgrace and ruin, and are inconsistent with every notion of civil society.

"The charges which *Junius* has brought against me, are made ridiculous by his own inconsistency and self-contradiction. He charges me positively with 'a new zeal in support of administration;' and with 'endeavours in support of the ministerial nomination of sheriffs.' And he assigns two inconsistent motives for my conduct: either that I have '*sold* myself to the

ministry;' or am instigated 'by the solitary vindictive *malice* of a monk:' either that I am influenced by a sordid desire of gain, or am hurried on by 'personal hatred, and blinded by resentment.' In his letter to the Duke of Grafton, he supposes me actuated by both: in his letter to me, he at first doubts which of the two, whether interest or revenge is my motive. However, at last he determines for the former, and again positively asserts, 'that the ministry have made me promises:" yet he produces no instance of corruption, nor pretends to have any intelligence of a ministerial connection. He mentions no cause of personal hatred to Mr. Wilkes, nor any reason for my resentment or revenge; nor has Mr. Wilkes himself ever hinted any, though repeatedly pressed. When *Junius* is called upon to justify his accusation, he answers, 'He cannot descend to an altercation with me in the newspapers.' *Junius*, who exists only in the newspapers, who acknowledges he has 'attacked my character' there, and thinks 'I have some right to an explanation;' yet this *Junius* 'cannot descend to an altercation in the newspapers!' And because he cannot descend to an altercation with me in the newspapers, he sends a letter of abuse, by the printer, which he finishes with telling me, 'I am at liberty to *publish it.*' This, to be sure,

is a most excellent method to avoid an altercation in the newspapers!

"The proofs of his positive charges are as extraordinary. 'He does not pretend to any intelligence concerning me, or to know more of my conduct than I myself have thought proper to communicate to the public.' He does not suspect me of such gross folly as to have solicited votes, or to have written anonymously in the newspapers; because it is impossible to do either without being detected, and brought to shame. *Junius* says this! who yet imagines that he has himself written two years under that signature (and more under *others*) without being detected! his warmest admirers will not hereafter add, *without being brought to shame*. But, though he did never suspect me of such gross folly as to run the hazard of being detected, and brought to shame, by anonymous writing, he insists that I have been guilty of much grosser folly, of incurring the certainty of shame and detection, by writings signed with my name! But this is a small flight for the towering *Junius:* 'He is far from thinking meanly of my abilities,' though 'he is convinced that I want judgment extremely;' and can 'really respect

Mr. Sawbridge's character,' though he declares him to be so poor a creature, as not to 'see through the basest design, conducted in the poorest manner!' And this most base design is conducted in the poorest manner by a man, whom he does not suspect of gross folly, and of whose abilities he is far from thinking meanly!

"Should we ask *Junius* to reconcile these contradictions, and explain this nonsense, the answer is ready: 'He cannot descend to an altercation in the newspapers.' He feels no reluctance to attack the character of any man: the throne is not too high, nor the cottage too low: his mighty malice can grasp both extremes. He hints not his accusation as opinion, conjecture, or inference, but delivers them as positive assertions. Do the accused complain of injustice? He acknowledges they have some sort of right to an explanation; but if they ask for proofs and facts, he begs to be excused; and though he is no where else to be encountered, 'he cannot descend to an altercation in the newspapers.'

"And this, perhaps, *Junius* may think 'the *liberal resentment of a gentleman*;' this skulking assassina-

tion he may call courage. In all things, as in this, I hope we differ.

'I thought that fortitude had been a mean.
'Twixt fear and rashness; not a lust obscene,
'Or appetite of offending; but a skill
'And nice discernment between good and ill.
'Her ends are honesty and public good;
'And without these she is not understood.'

"Of two things, however, he has condescended to give proof. He very properly produces a *young lady* to prove that I am not a man; and a *good old woman*, my grandmother, to prove Mr. Oliver a fool. Poor old soul! she read her bible far otherwise than *Junius!* She often found there, that the sins of the fathers had been visited on the children; and therefore was cautious, that herself, and her immediate descendants, should leave no reproach on her posterity: and they left none. How little could she foresee this reverse of *Junius*, who visits my political sins upon my grandmother! I do not charge this to the score of malice in him; it proceeded entirely from his propensity to blunder; that whilst he was reproaching me, for introducing, in the most harmless manner, the name of one female, he might himself, at the same instant, introduce two.

"I am represented, alternately, as it suits *Junius*' purpose, under the opposite characters of a *gloomy monk*, and a man of *politeness* and *good humour*. I am called "*a solitary monk*,' in order to confirm the notion given of me, in Mr. Wilkes' anonymous paragraphs, that I never laugh. And the terms of politeness and good humour, on which I am said to have lived heretofore with the young lady, are intended to confirm other paragraphs of Mr. Wilkes, in which he is supposed to have offended me by *refusing his daughter*. Ridiculous! Yet I cannot deny but that *Junius* has proved me unmanly and ungenerous, as clearly as he has shown me corrupt and vindictive; and I will tell him more: I have paid the present ministry as many visits and compliments as ever I paid to the young lady; and shall all my life treat them with the same politeness and good humour.

"But *Junius* 'begs me to believe, that he measures the integrity of men by their conduct, not by their professions.' Sure this *Junius* must imagine his readers as void of understanding as he is of modesty! Where shall we find the standard of his integrity? By what are we to measure the conduct of this lurking assassin? And he says this to me, whose conduct,

wherever I could personally appear, has been as direct and open, and public, as my words. I have not, like him, concealed myself in my chamber, to shoot my arrows out of the window; nor contented myself to view the battle from afar; but publicly mixed in the engagement, and shared the danger. To whom have I, like him, refused my name, upon complaint of injury? What printer have I desired to conceal me? In the infinite variety of business in which I have been concerned, where it is not so easy to be faultless, which of my actions can he arraign? To what danger has any man been exposed, which I have not faced?—*Information, action, imprisonment, or death?* What labor have I refused? What expense have I declined? What pleasure have I not renounced? But *Junius*, to whom no conduct belongs, 'measures the integrity of men by their conduct, not by their professions:' himself, all the while, being nothing but professions, and those too anonymous. The political ignorance, or wilful falsehood, of this declaimer is extreme. His own former letters justify both my conduct and those whom his last letter abuses: for the public measures which *Junius* has been all along defending, were ours whom he attacks; and the uniform opposer of those measures has been Mr. Wilkes, whose bad actions and intentions he endeavours to screen.

"Let *Junius* now, if he pleases, change his abuse, and quiting his loose hold of interest and revenge, accuse me of vanity, and call this defence boasting. I own I have pride to see statutes decreed, and the highest honors conferred, for measures and actions which all men have approved; whilst those who counselled and caused them, are execrated and insulted. The darkness in which *Junius* thinks himself shrouded has not concealed him; nor the artifice of only *attacking under that signature* those he would pull down, whilst he *recommends by other ways* those he would have promoted, disguised from me whose partizan he is. When Lord Chatham can forgive the awkward situation in which, for the sake of the public, he was designedly placed by the thanks to him from the city, and when Wilkes' name ceases to be necessary to Lord Rockingham, to keep up a clamour against the persons of the ministry, without obliging the different factions, now in opposition, to bind themselves beforehand to some certain points, and to stipulate some precise advantages to the public; then, and not till then, may those whom he now abuses expect the approbation of *Junius*. The approbation of the public for our faithful attention to their interest, by endeavours for those stipulations, which have made us as obnoxious to the factions in opposition as to those in admin-

istration, is not, perhaps, to be expected till some years hence; when the public will look back, and see how shamefully they have been deluded, and by what arts they were made to lose the golden opportunity of preventing what they will surely experience,—a change of ministers, without a material change of measures, and without any security for a tottering constitution. But what cares *Junius* for the security of the constitution? He has now unfolded to us his diabolical principles. As a public man he must ever condemn any measure which may tend accidentally to gratify the sovereign; and Mr. Wilkes is to be supported and assisted in all his attempts (no matter how ridiculous and mischievous his projects) *as long as he continues to be a thorn in the King's side!* The cause of the country, it seems, in the opinion of *Junius*, is merely to vex the King; and any rascal is to be supported in any roguery, provided he can only thereby plant *a thorn in the King's side.* This is the very extremity of faction, and the last degree of political wickedness. Because Lord Chatham has been ill treated by the King, and treacherously betrayed by the Duke of Grafton, the latter is to be, 'the pillow on which *Junius* will rest his resentment;' and the public are to oppose the measures of government from

mere motives of personal enmity to the sovereign! These are the avowed principles of the man who, in the same letter, says, 'If ever he should be convinced that I had no motive but to destroy Wilkes, he shall then be ready to do justice to my character, and to declare to the world, that he despises me somewhat less than he does at present!' Had I ever acted from personal affection or enmity to Mr. Wilkes, I should justly be despised: but what does he deserve, whose avowed motive is personal enmity to the sovereign? The contempt which I should otherwise feel for the absurdity and glaring inconsistency of *Junius*, is here swallowed up in my abhorrence of his principles. The *right divine* and *sacredness* of kings is to me a senseless jargon. It was thought a daring expression of Oliver Cromwell, in the time of Charles the I., that, if he found himself placed opposite to the king in battle, he would discharge his piece into his bosom as soon as into any other man's. I go farther: had I lived in those days, I would not have waited for chance to give me an opportunity of doing my duty; I would have sought him through the ranks, and, without the least personal enmity, have discharged my piece into his bosom rather than into any other man's. The King, whose actions justify rebellion to his govern-

ment, deserves death from the hand of every subject. And should such a time arrive, I shall be as free to act as to say; but, till then, my attachment to the person and family of the sovereign shall ever be found more zealous and sincere than that of his flatterers. I would offend the sovereign with as much reluctance as the parent: but if the happiness and security of the whole family made it necessary, so far, and no farther, I would offend him without remorse.

"But let us consider a little whither these principles of *Junius* would lead us. Should Mr. Wilkes once more commission Mr. Thomas Walpole to procure for him a pension of one thousand pounds, upon the Irish establishment, for thirty years, he must be supported in the demand by the public, because it would mortify the King!

"Should he wish to see Lord Rockingham, and his friends, once more in administration, uncloged by any stipulations for the people, that he might again enjoy a pension of one thousand and forty pounds a-year, *viz.* from the first Lord of the Treasury, 500*l.*, from the Lords of the Treasury, 60*l.* each: from the Lords of Trade, 40*l.* each, &c. the public must give up their

attention to points of national benefit, and assist Mr. Wilkes in his attempt, because it would mortify the King!

"Should he demand the government of Canada, or of Jamaica, or the embassy to Constantinople, and in case of refusal threaten to write them down, as he had before served another administration, in a-year and a half, he must be supported in his pretensions, and upheld in his insolence, because it would mortify the King!

"*Junius* may choose to suppose that these things cannot happen! But, that they have happened, notwithstanding Mr. Wilkes' denial, I do aver. I maintain, that Mr. Wilkes did commission Mr. Thomas Walpole to solicit for him a pension of one thousand pounds, on the Irish establishment, for thirty years; with which, and a pardon, he declared he would be satisfied: and that, nothwithstanding his letter to Mr. Onslow, he did accept a clandestine, precarious, and eleemosynary pension from the Rockingham administration, which they paid in proportion to, and out of their salaries, and so entirely was it ministerial, that, as any of them went out of the ministry, their

names were scratched out of the list, and they contributed no longer. I say, he did solicit the governments, and the embassy, and threatened their refusal nearly in these words: 'It cost me a-year and a half to write down the last administration; should I employ as much time upon you, very few of you would be in at the death.' When these threats did not prevail, he came over to England to embarass them by his presence: and when he found that Lord Rockingham was something firmer, and more manly than he expected, and refused to be bullied into what he could not perform, Mr. Wilkes declared that he could not leave England without money; and the Duke of Portland and Lord Rockingham purchased his absence with one hundred pounds a-piece, with which he returned to Paris: and for the truth of what I here advance, I appeal to the Duke of Portland, to Lord Rockingham, to John Lord Cavendish, to Mr. Walpole, &c., I appeal to the handwriting of Mr. Wilkes, which is still extant.

"Should Mr. Wilkes afterwards (failing in this wholesale trade) choose to dole out his popularity by the pound, and expose the city offices to sale to his brother, his attorney, &c. *Junius* will tell us, it is only

ambition that he has to make them chamberlain, town-clerk, &c. And he must not be opposed in thus robbing the ancient citizens of their birthright, because any defeat of Mr. Wilkes would gratify the King!

"Should he, after consuming the whole of his own fortune, and that of his wife, and incurring a debt of twenty thousand pounds, merely by his own private extravagance, without a single service or exertion, all this time for the public, whilst his estate remained; should he, at length, being undone, commence patriot; have the good fortune to be illegally persecuted, and, in consideration of that illegality, be espoused by a few gentlemen of the purest public principles; should his debts, though none of them were contracted for the public, and all his other incumbrances, be discharged; should he be offered 600*l.* or 1000*l.* a-year to make him independent for the future; and should he, after all, instead of gratitude for these services, insolently forbid his benefactors to bestow their own money upon any other object but himself, and revile them for setting any bounds to their supplies; *Junius* (who, any more than Lord Chatham, never contributed one farthing to these enormous expences) will tell them, that if they think of converting

the supplies of Mr. Wilkes' private extravagance to the support of public measures, they are as great fools as my grandmother; and that Mr. Wilkes ought to hold the strings of their purses, *as long as he continues to be a thorn in the King's side!*

"Upon these principles I never have acted, and I never will act. In my opinion, it is less dishonorable to be the creature of a court, than the tool of a faction. I will not be either. I understand the two great leaders of opposition to be Lord Rockingham and Lord Chatham; under one of whose banners all the opposing members of both Houses, who desire to get places, enlist. I can place no confidence in either of them, or in any others, unless they will now engage, whilst they are *out*, to grant certain essential advantages for the security of the public when they shall be *in* administration. These points they refuse to stipulate, because they are fearful lest they should prevent any future overtures from the court. To force them to these stipulations has been the uniform endeavour of Mr. Sawbridge, Mr. Townshend, Mr. Oliver, &c. and *therefore* they are abused by *Junius*. I know no reason, but my zeal and industry in the same cause, that should entitle me to the honor of being ranked

by his abuse with persons of their fortune and station. It is a duty I owe to the memory of the late Mr. Beckford, to say, that he had no other aim than this, when he provided that sumptuous entertainment at the Mansion House, for the members of both Houses in opposition. At that time, he drew up the heads of an engagement, which he gave to me, with a request that I would couch it in terms so cautious and precise, as to leave no room for future quibble and evasion; but to oblige them either to fulfil the intent of the obligation, or to sign their own infamy, and leave it on record; and this engagement he was determined to propose to them at the Mansion House, that either by their refusal they might forfeit the confidence of the public, or, by the engagement, lay a foundation for confidence.

"When they were informed of the intention, Lord Rockingham and his friends flatly refused any engagement; and Mr. Beckford as flatly swore, they should then 'eat none of his broth;' and he was determined to put off the entertainment; but Mr. Beckford was prevailed upon by ——— to indulge them in the ridiculous parade of a popular procession through the city, and to give them the foolish pleasure of an

imaginary consequence, for the real benefit only of the cooks and purveyors.

"It was the same motive which dictated the thanks of the city to Lord Chatham; which were expressed to be given for his declaration in favor of *short parliaments*, in order thereby to fix Lord Chatham, at least, to that one constitutional remedy, without which all others can afford no security. The embarrassment, no doubt, was cruel. He had his choice, either to offend the Rockingham party, who declared formally against short parliaments, and with the assistance of whose numbers in both Houses he must expect again to be minister, or to give up the confidence of the public, from whom, finally, all real consequence must proceed. Lord Chatham chose the latter; and I will venture to say, that, by his answer to those thanks, he has given up the people without gaining the friendship or cordial assistance of the Rockingham faction, whose little politics are confined to the making of matches, and extending their family connections; and who think they gain more by procuring one additional vote to their party in the House of Commons, than by adding their languid property, and feeble character, to the abilities of a Chatham, or the confidence of the public.

"Whatever may be the event of the present wretched state of politics in this country, the principles of *Junius* will suit no form of government. They are not to be tolerated under any constitution. Personal enmity is a motive fit only for the devil. Whoever, or whatever, is sovereign, demands the respect and support of the people. The union is formed for their happiness, which cannot be had without mutual respect; and he counsels maliciously who would persuade either to a wanton breach of it. When it is banished by either party, and when every method has been tried in vain to restore it, there is no remedy but a divorce; but even then he must have a hard and wicked heart indeed, who punishes the greatest criminal merely for the sake of the punishment; and who does not let fall a tear for every drop of blood that is shed in a public struggle, however just the quarrel.

"JOHN HORNE."

CHAPTER XI.

TO THE PRINTER OF THE PUBLIC ADVERTISER.

August 15, 1771.

"*Sir*—I OUGHT to make an apology to the Duke of Grafton, for suffering any part of my attention to be diverted from his Grace to Mr. HORNE. I am not justified by the similarity of their dispositions. Private vices, however detestable, have not dignity sufficient to attract the censure of the press, unless they are united with the power of doing some signal mischief to the community. Mr. HORNE'S situation does not correspond with his intentions. In my opinion (which I know will be attributed to my usual vanity and presumption) his letter to me does not deserve an answer. But I understand, that the public are not satisfied with my silence: that an answer is expected from me; and that if I persist in refusing to plead, it will be taken for conviction. I should be inconsistent

with the principles I profess, if I declined an appeal to the good sense of the people, or did not willingly submit myself to the judgment of my peers.

"If any coarse expressions have escaped me, I am ready to agree, that they are unfit for *Junius* to make use of; but I see no reason to admit, that they have been improperly applied.

"Mr. HORNE, it seems, is unable to comprehend how an extreme want of conduct and discretion, can consist with the abilities I have allowed him; nor can he conceive that a very honest man, with a very good understanding, may be deceived by a knave. His knowledge of human nature, must be limited indeed. Had he never mixed with the world, one would think that even his books might have taught him better. Did he hear Lord Mansfield, when he defended his doctrine concerning libels? Or when he stated the law in prosecutions for criminal conversation? Or when he delivered his reasons for calling the House of Lords together, to receive a copy of his charge to the jury in Woodfall's trial? Had he been present upon any of these occasions, he would have seen how possible it is for a man of the first talents to confound

himself in absurdities, which would disgrace the lips of an idiot. Perhaps the example might have taught him not to value his own understanding so highly. Lord Lyttleton's integrity and judgment are unquestionable; yet he is known to admire that cunning Scotchman, and verily believes him an honest man. I speak to facts, with which all of us are conversant. I speak to men, and to their experience; and will not descend to answer the little sneering sophistries of a collegian. Distinguished talents are not necessarily connected with discretion. If there be any thing remarkable in the character of Mr. HORNE, it is, that extreme want of judgment should be united with his moderate capacity. Yet I have not forgotten the acknowledgment I made him; he owes it to my bounty; and though his letter has lowered him in my opinion, I scorn to retract the charitable donation.

"I said it would be very difficult for Mr. HORNE to write directly in defence of a ministerial measure, and not be detected, and even that difficulty I confined to his particular situation. He changes the terms of the proposition, and supposes me to assert, that it would be impossible for any man to write for the newspapers, and not be discovered.

"He repeatedly affirms, or intimates at least, that he knows the author of these letters. With what color of truth, then can he pretend, *That I am no where to be encountered, but in a newspaper?* I shall leave him to his suspicions. It is not necessary, that I should confide in the honor or discretion of a man, who already seems to hate me with as much rancour, as if I had formerly been his friend. But he asserts, that he has traced me through a variety of signatures. To make the discovery of any importance to his purpose, he should have proved, either that the fictitious character of *Junius* has not been consistently supported, or that the author has maintained different principles under different signatures. I cannot recall to my memory the numberless trifles I have written; but I rely upon the consciousness of my own integrity, and defy him to fix any colorable charge of inconsistency upon me.

"I am not bound to assign the secret motives of his apparent hatred of Mr. Wilkes: nor does it follow that I may not judge fairly of his conduct, though it were true, *that I had no conduct of my own.* Mr. HORNE enlarges with rapture upon the importance of his services; the dreadful battles which he might have

been engaged in, and the dangers he has escaped. In support of the formidable description, he quotes verses without mercy. The gentleman deals in fiction, and naturally appeals to the evidence of the poets.—Taking him at his word he cannot but admit the superiority of Mr. Wilkes in this line of service. On one side, we see nothing but imaginary distresses; on the other, we see real prosecutions; real penalties; real imprisonment; life repeatedly hazarded; and, at one moment, almost the certainty of death. Thanks are undoubtedly due to every man who does his duty in the engagement, but it is the wounded soldier who deserves the reward.

"I do not mean to deny that Mr. HORNE had been an active partizan. It would defeat my own purpose, not to allow him a degree of merit, which aggravates his guilt. The very charge *of contributing his utmost efforts to support a ministerial measure*, implies an acknowledgment of his former services. If he had not once been distinguished, by his apparent zeal in defence of the common cause, he could not now be disguised by deserting it. As for myself, it is no longer a question, *whether I shall mix with the throng, and take a single share in the danger.* Whenever *Junius*

appears, he must encounter an host of enemies. But is there no honorable way to serve the public, without engaging in personal quarrels, with insignificant individuals, or submitting to the drudgery of canvassing votes for an election? Is there no merit in dedicating my life to the information of my fellow subjects? What public question have I declined? What villain have I spared? Is there no labour in the composition of these letters?—Mr. HORNE, I fear, is partial to me, and measures the facility of my writings by the fluency of his own.

"He talks to us in high terms of the gallant feats he would have performed if he had lived in the last century. The unhappy Charles could hardly have escaped him. But living Princes have a claim to his attachment and respect. Upon these terms there is no danger in being a patriot. If he means any thing more than a pompous rhapsody, let us try how well his argument holds together. I presume he is not yet so much a courtier as to affirm, that the constitution has not been grossly and daringly violated under the present reign. He will not say, that the laws have not been shamefully broken or perverted; that the rights of the subject have not been invaded; or, that

redress has not been repeatedly solicited and refused. Grievances, like these, were the foundation of the rebellion in the last century; and, if I understand Mr. HORNE, they would, at that period, have justified him, to his own mind, in deliberately attacking the life of his sovereign. I shall not ask him to what political constitution this doctrine can be reconciled: but, at least it is incumbent upon him to show, that the present King has better excuses than Charles the First, for the errors of his government. He ought to demonstrate to us, that the constitution was better understood an hundred years ago, than it is at present; that the legal rights of the subject, and the limits of the prerogative, were more accurately defined, and more clearly comprehended. If propositions, like these, cannot be fairly maintained, I do not see how he can reconcile it to his conscience, not to act immediately with the same freedom with which he speaks. I reverence the character of Charles the First as little as Mr. HORNE; but I will not insult his misfortunes, by a comparison, that would degrade him.

"It is worth observing, by what gentle degrees the furious, persecuting zeal of Mr. HORNE has softened

into moderation. Men and measures were yesterday his object. What pains did he once take to bring that great state criminal M'Quirk, to execution? To-day he confines himself to measures only: no penal example is to be left to the successors of the Duke of Grafton. To-morrow, I presume, both men and measures will be forgiven. The flaming patriot, who so lately scorched us in the meridian, shines temperately to the west, and is hardly felt as he descends.

"I comprehend the policy of endeavouring to communicate to Mr. Oliver and Mr. Sawbridge, a share in the reproaches with which he supposes me to have loaded him. My memory fails me, if I have mentioned their names with disrespect; unless it be reproachful to acknowledge a sincere respect for the character of Mr. Sawbridge, and not to have questioned the innocence of Mr. Oliver's intentions.

"It seems I am a partizan of the great leader of the opposition. If the charge had been a reproach, it should have been better supported. I did not intend to make a public declaration of the respect I bear Lord Chatham; I well knew that unworthy conclusions would be drawn from it. But I am called

upon to deliver my opinion; and surely it is not in the little censure of Mr. HORNE to deter me from doing signal justice to a man, who, I confess, has grown upon my esteem. As for the common sordid views of avarice, or any purpose of vulgar ambition, I question whether the applause of *Junius* would be of service to Lord Chatham. My vote will hardly recommend him to an increase of his pension, or to a seat in the cabinet. But, if his ambition be upon a level with his understanding, if he judges of what is truly honorable for himself, with the same superior genius which animates and directs him to eloquence in debate, to wisdom in decision, even the pen of *Junius* shall contribute to reward him. Recorded honors shall gather round his monument, and thicken over him. It is a solid fabric, and will support the laurels that adorn it. I am not conversant in the language of panegyric. These praises are extorted from me; but they will wear well, for they have been dearly earned.

"My detestation of the Duke of Grafton is not founded upon his treachery to any individual; though I am willing enough to suppose, that, in public affairs, it would be impossible to desert or betray Lord Chatham, without doing an essential injury to this country.

My abhorrence to the Duke arises from an intimate knowledge of his character; and from a thorough conviction that his baseness has been the cause of greater mischief to England, than even the unfortunate ambition of Lord Bute.

"The shortening the duration of Parliaments is a subject on which Mr. HORNE cannot enlarge too warmly, nor will I question his sincerity. If I did not profess the same sentiments, I should be shamefully inconsistent with myself. It is unnecessary to bind Lord Chatham by the written formality of an engagement. He has publicly declared himself a convert to triennial Parliaments; and though I have long been convinced, that this is the only possible resourse we have left to preserve the substantial freedom of the constitution, I do not think we have a right to determine against the integrity of Lord Rockingham or his friends. Other measures may undoubtedly be supported in argument, as better adapted to the disorder, or more likely to be obtained.

"Mr. HORNE is well assured, that I never was the champion of Mr. Wilkes. But though I am not obliged to answer for the firmness of his future adher-

ence to the principles he professes, I have no reason to presume, that he will hereafter disgrace them. As for all those imaginary cases which Mr. HORNE so petulantly urges against me, I have one plain honest answer to make to him. Whenever Mr. Wilkes shall be convicted of soliciting a pension, an embassy, or a government, he must depart from that situation, and renounce that character, which he assumes at present, and which, in my opinion, entitles him to the support of the public. By the same act, and at the same moment, he will forfeit his power of mortifying the King; and though he can never be a favorite at St. James', his baseness may administer a solid satisfaction to the royal mind. The man I speak of, has not a heart to feel for the frailties of his fellow-creatures. It is their virtues that afflict, it is their vices that console him.

"I give every possible advantage to Mr. HORNE, when I take the facts he refers to for granted. That they are the produce of his invention, seems highly probable; that they are exaggerated, I have no doubt. At the worst, what do they amount to? but that Mr. Wilkes, who never was thought of as a perfect pattern of morality, has not been at all times proof against

the extremity of distress. How shameful is it, in a man who has lived in friendship with him, to reproach him with failings too naturally connected with despair? Is no allowance to be made for banishment and ruin? Does a two years imprisonment make no atonement for his crimes? The resentment of a priest is implacable: no sufferings can soften, no penitence can appease him. Yet he himself, I think, upon his own system, has a multitude of political offences to atone for. I will not insist upon the nauseous detail with which he has so long disgusted the public: he seems to be ashamed of it. But what excuse will he make to the friends of the constitution, for laboring to promote *this consummately bad man* to a station of the highest national trust and importance! Upon what honorable motives did he recommend him to the livery of London for their representative? To the ward of Farringdon for their alderman? To the county of Middlesex for their knight? Will he affirm, that, at that time, he was ignorant of Mr. Wilkes' solicitations to the ministry? That he should say so, is, indeed, very necessary for his own justification; but where will he find credulity to believe him?

"In what school this gentleman learned his ethics

I know not. His logic seems to have been studied under Mr. Dyson. That miserable pamphleteer, by dividing the only precedent in point, and taking as much of it as suited his purpose, had reduced his argument upon the Middlesex election to something like the shape of a syllogism. Mr. HORNE has conducted himself with the same ingenuity and candor. I had affirmed, that Mr. Wilkes would preserve the public favor, 'as long as he stood forth against a ministry and parliament, who were doing every thing they could to enslave the country, and as long as he *was a thorn in the King's side*. Yet, from the exulting triumph of Mr. HORNE'S reply, one would think that I had rested my expectation, that Mr. Wilkes would be supported by the public upon the single condition of his mortifying the King. This may be logic at Cambridge, or at the treasury; but among men of sense and honor, it is folly or villany in the extreme.

"I see the pitiful advantage he has taken of a single unguarded expression, in a letter not intended for the public. Yet it is only the *expression* that is unguarded. I adhere to the true meaning of that member of the sentence, taken separately as he takes

it; and now, upon the coolest deliberation, re-assert, that, for the purposes I referred to, it may be highly meritorious to the public, to wound the personal feelings of the sovereign. It is not a general proposition, nor is it generally applied to the Chief Magistrate of this, or any other constitution. Mr. HORNE knows, as well as I do, that the best of Princes is not displeased with the abuse which he sees thrown upon his ostensible ministers. It makes them, I persume, more properly the objects of his royal compassion. Neither does it escape his sagacity, that the lower they are degraded in the public esteem, the more submissively they must depend upon his favor for protection. This I affirm, upon the most solemn conviction, and the most certain knowledge, is a leading maxim in the policy of the closet. It is unnecessary to pursue the argument any farther.

"Mr. HORNE is now a very loyal subject. He laments the wretched state of politics in this country; and sees, in a new light, the weakness and folly of the opposition. *Whoever, or whatever, is sovereign, demands the respect and support of the people:* it was not so *when Nero fiddled while Rome was burning.* Our gracious sovereign has had wonderful success in

creating new attachments to *his person and family*. He owes it, I presume, to the regular system he has pursued in the mystery of conversion. He began with an experiment upon the Scotch, and concludes with converting Mr. HORNE. What a pity it is, that the Jews should be condemned by Providence to wait for a Messiah of their own.

"The priesthood are accused of misinterpreting the Scriptures. Mr. HORNE has improved upon his profession. He alters the text, and creates a refutable doctrine of his own. Such artifices cannot long delude the understandings of the people; and, without meaning an indecent comparison, I may venture to foretel, that the Bible and *Junius* will be read, when the commentaries of the Jesuits are forgotten.

"JUNIUS."

TO THE PRINTER OF THE PUBLIC ADVERTISER.

August 26, 1771.

"*Sir*—THE enemies of the people, having now nothing better to object to my friend *Junius*, are at last

obliged to quit his politics, and to rail at him for crimes he is not guilty of. His vanity and impiety are now the perpetual topics of their abuse. I do not mean to lessen the force of such charges, supposing they were true, but to show that they are not founded. If I admitted the premises, I should readily agree in all the consequences drawn from them. Vanity, indeed, is a venal error; for it usually carries its own punishment with it; but if I thought *Junius* capable of uttering a disrespectful word of the religion of his country, I should be the first to renounce and give him up to the public contempt and indignation. As a man, I am satisfied that he is a christian, upon the most sincere conviction: as a writer, he would be grossly inconsistent with his political principles, if he dared to attack a religion, established by those laws, which it seems to be the purpose of his life to defend. Now for the proofs. *Junius* is accused of an impious allusion to the holy sacrament, where he says, that, *if Lord Weymouth be denied the cup, there would be no keeping him within the pale of the Ministry.* Now, Sir, I affirm, that this passage refers entirely to a ceremonial in the Roman Catholic church, which denies the cup to the laity. It has no manner of relation to the Protestant creed; and is, in this country, as fair an

object of ridicule as *transubstantiation*, or any other part of Lord Peter's History, in the Tale of the Tub.

"But *Junius* is charged with equal vanity and impiety, in comparing his writings to the Holy Scripture. The formal protest he makes against any such comparison avails him nothing. It becomes necessary then to show, that the charge destroys itself. If he be vain, he cannot be impious.

"A vain man does not usually compare himself to an object which it is his design to undervalue. On the other hand, if he be impious, he cannot be vain, for his impiety, if any, must consist in his endeavouring to degrade the Holy Scriptures, by a comparison with his own contemptible writings. This would be folly, indeed, of the grossest nature: but where lies the vanity? I shall now be told, 'Sir, what you say is plausible enough: but still you must allow, that it is shamefully impudent in *Junius* to tell us that his works will live as long as the Bible.' My answer is, *agreed; but first prove that he has said so.* Look at his words, and you will find that the utmost he expects is, that the Bible and *Junius* will survive the commentaries of the Jesuits; which may prove true in a fort-

night. The most malignant sagacity cannot show that his works are, *in his opinion*, to live as long as the Bible. Suppose I were to foretell, that Jack and Tom would survive Harry, does it follow that Jack must live as long as Tom? I would only illustrate my meaning, and protest against the least idea of profaneness.

"Yet this is the way in which *Junius* is usually answered, arraigned and convicted. These candid critics never remember any thing he says in honor of our holy religion; though it is true, that one of his leading arguments is made to rest *upon the internal evidence, which the purest of all religions carries with it.* I quote his words; and conclude from them, that he is a true and hearty Christian, in substance, not in ceremony; though possibly he may not agree with my Reverend Lords the Bishops, or with the head of the Church, *that prayers are morality, or that kneeling is religion.*

"PHILO JUNIUS."

CHAPTER XII.

FROM THE REVEREND MR. HORNE TO JUNIUS.

August 17, 1771.

"I CONGRATULATE you, Sir, on the recovery of your wonted style, though it has cost you a fortnight. I compassionate your labor in the composition of your letters, and will communicate to you the secret of my fluency. Truth needs no ornament; and, in my opinion, what she borrows of the pencil is deformity.

"You brought a positive charge against me of corruption. I denied the charge, and called for your proofs. You replied with abuse, and re-asserted your charge. I called again for proofs. You reply again with abuse only, and drop your accusation. In your fortnight's letter, there is not one word upon the subject of my corruption.

"I have no more to say, but to return thanks to you for your condescension, and to a grateful public, and *honest* ministry, for all the favors they have conferred upon me. The two latter, I am sure, will never refuse me any grace I shall solicit: and since you have been pleased to acknowledge, that you told a deliberate lie in my favor, out of bounty, and as a charitable donation, why may I not expect that you will hereafter (if you do not forget you ever mentioned my name with disrespect) make the same acknowledgement for what you have said to my prejudice? The second recantation will, perhaps, be more abhorrent from your disposition; but should you decline it, you will only afford one more instance, how much easier it is to be generous than just, and that men are sometimes bountiful who are not honest.

"At all events, I am as well satisfied with panegyric as Lord Chatham can be. Monument I shall have none; but over my grave it will be said, in your own words, 'HORNE'S *situation did not correspond with his intentions.*'

"JOHN HORNE."

WHOEVER, carefully and impartially, peruses the foregoing correspondence, and the facts contained in this work, must acknowledge, that the Rev. JOHN HORNE, in his *Farce*, *Comedy* and *Tragedy*, *performed* the *Dramatis Personæ* of JUNIUS, PHILO JUNIUS, and JOHN HORNE, and having placed the last *key stone* of the arch, walked off the stage, the HERO of his own DRAMA, leaving a fame in the republic of letters, that can never die.

I shall now close this essay, by quoting the following extract from Mr. Burke's speech, which has been furnished me, by my honorable and respected friend, R. RIKER, Recorder of the City of New-York; that gentleman having obtained it from a manuscript preserved by the late Dr. Johnson, President of Columbia College, &c.; who, it is believed, heard Mr. Burke deliver it in the House of Commons.

"It has been *confidently* reported, that I am the author, who has written against government, under the signature of '*Junius*;' I have been charged with it, in this public assembly, and in private company; I have borne the imputation in my hours of business,

and it has attended me in the moments of retirement and leisure. Was I conscious, that I merited the imputation, my vanity would not permit me to disown it. Could I do it with truth, my passion for glory would induce me to boast of being the author of a production, so justly celebrated for its accuracy of language, its sublimity of sentiment, its poignancy of satire, and its exquisite elegance of expression. '*Junius*' has travelled a road, that has hitherto been but little trodden: his undertaking was bold, was arduous; but aided by the superiority of his *genius*, he has soared superior to the difficulties of the attempt. He has watched the motions of your nobles and your leaders, unsuspecting of danger. Like *Æneas* under the close covert of the rock, singling out the choicest of the *herd* feeding before him. So *Junius*, under the impenetrable veil of secrecy, has watched the motions of *your* nobles and your leaders, rioting in *luxury*, unsuspicious of detection, and unguarded to danger, he levelled his arrows, *feathered* with *truth*, and pointed with the keenest edge of satire, and they have fallen prostrate at his feet. Nay!. he has aimed a shaft at *the Bird of Jove himself*, hovering in his *aerial wanderings*—it smote him—his pinions trembled, and he seemed to fall."

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